

MAC Miscellaneous Application No.277/2026**Order below Ex.1 :**

1. The original claimants submitted that the legal heirs of deceased Manubhai Nanubhai Sihora had filed the M.A.C.P. No.602 of 2006 and the same was decided in favour of claimants by the M.A.C. Tribunal (Main), Bhavnagar on 19.12.2009.
2. Being aggrieved and dissatisfied with the said judgment and award, opponent had preferred R/First Appeal No.1279/2010, before Hon'ble High Court of Gujarat, in which the Hon'ble High Court of Gujarat had remanded the claim petition on dated 07.03.2012. Thereafter, again this claim petition has been rejected by the M.A.C. Tribunal (Main), Bhavnagar on 09.10.2013.
3. Being aggrieved and dissatisfied with the said judgment and award, claimants had preferred R/First Appeal No.143 of 2015, before the Hon'ble High Court of Gujarat, in which the Hon'ble High Court of Gujarat had passed the following order on dated 06.04.2026 :

"..... 14. For the foregoing reasons, the impugned judgment and award dated 9th October, 2013 passed by the Motor Accident Claim Tribunal (Main), Bhavnagar in MACP No.602 of 2006 is hereby quashed and set aside by holding the original claimants entitled to seek recovery of a sum of Rs.2,00,000/- towards

the personal accident coverage as per the terms of the contract of the insured with interest at the rate of 7.5% per annum from the date of filing of the claim petition till its realization. In the facts and circumstances of the present case, there shall be no order as to costs.

15. With these observations, the First Appeal stands allowed to the aforesaid extent. The R & P directed to be sent back to the concerned Tribunal with the writ of this judgment."

4. Further, it is submitted that the original claimant No.1 Godiben Nanubhai Sihora died on 01.05.2021 and her death certificate is produced at mark 3/4(1). Further, it is submitted that the original claimant No.2 Batukbhai Nanubhai Sihora died on 09.03.2016 and his death certificate is produced at mark 3/4(2).
5. Further, it is submitted that **as per report of the Nazir, District Court, Bhavnagar, the amount of Rs.4,94,000/-** is lying with the Nazir, District court, Bhavnagar.
6. I have gone through the contents of the application as also the endorsement made by the Nazir in the said application. It is further submitted that no appeal is preferred against the order of Tribunal and no stay is granted against such order. The other side has also made endorsement as **"No Objection"**.
7. Looking to the facts and documents available on record, it clearly transpires that claimants had

preferred R/First Appeal No.143 of 2015, before the Hon'ble High Court of Gujarat, which has been allowed by the Hon'ble High Court on 06.04.2026. In support of application, the applicant has produced copies of order of Hon'ble Gujarat High Court passed in R/First Appeal No.143 of 2015 dated 06.04.2026, award of MACP No.602/2006, adhar card and PAN card of claimant No.3, death certificate of deceased Godiben, death certificate of deceased Batukbhai, joint bank passbook of applicants, etc. at mark 3/1 to 3/5. All these documents corroborate the say of the petitioner herein. Therefore, the petitioner is entitled to receive the compensation amount. Hence, I pass following final order :-

FINAL ORDER

The present application is hereby allowed.

The **Nazir, District Court, Bhavnagar**, is hereby ordered to disburse and release the entire amount of **Rs.4,94,000/-, as per order of Hon'ble High Court of Gujarat dated 06.04.2026 in R/First Appeal No.143/2015**, along with interest accrued thereon, if any, in favour of the original petitioner No.3 - Hansaben Nanubhai Sihora, by way of NEFT/RTGS Mode, after due verification.

Yadi be sent to the Nazir District Court, Bhavnagar.

Necessary Payment order be made accordingly.

Pronounced in Open Court today, i.e. on this **6th Day of June, 2026.**

B H A V N A G A R. **(JIGNESH GIRISHBHAI DAMODRA)**

M.A.C. Tribunal (Auxi.),

Bhavnagar.

DATE : 06.06.2026

UNIQUE ID CODE NO.**GJ00996**

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