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Order Below Exh.1 In
M. A. C. M. A. No.3/2026
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(1) Applicant Indiraben Bhanabhai Maliwad in the capacity of heir of late Bhanabhai Saburbhai Maliwad has filed this application under Order 24 Rule 4(2) and Section 151, 152 of the C. P. C. requesting this Tribunal to pass an order of disbursement of the amount of compensation deposited by opponent Insurance Company as per the order passed by the M. A. C. T. (Main), Dahod in M. A. C. P. No.3983/2004.

(2) Read the application. Perused the documents submitted along with application. Heard learned Advocate Mr. M. K. Muhaniya on behalf of the applicant. He submitted that an award passed by the M. A. C. Tribunal, Dahod in favour of original claimant Bhanabhai Saburbhai Maliwad in M.A.C.P.No.3983 of 2004 and the compensation has been deposited in this Tribunal but original claimant has died on 19.12.2022. As per pedigree of late Bhanabhai, he had total four heirs including three minor children and the widow i.e. the applicant. So, she being the widow of original claimant has requested to pass order of disbursement in her favour.

(3) Looking to the endorsement made by the Nazir, District Court, Dahod upon this application, after releasing of fixed deposit, total **Rs.1,89,532/-** is in credit on the part of the claimant in M.A.C.P.No.3983/2004.

(4) Having considered the contents of application supported by the submission of the learned Advocate for the applicant and

on perusal of the documents annexed with the application and the learned M. A. C. Tribunal, Dahod has passed an award in favour of the claimant Bhanabhai Saburbhai Malivad Bhil in M.A.C.P.No.3983/2004 and the amount of compensation has been deposited in the office of this Tribunal, which is endorsed by the Nazir, District Court. Dahod.

(5) It transpires from the copy of Death Certificate (Mark-4/4) and pedigree (Mark-4/5) that Bhanabhai Saburbhbhai Malivad has died on 29.12.2022 leaving behind him four heirs i.e. widow Indiraben, two sons Rahul aged 13 years & Vishalbhai aged 11 years and a daughter Tejalben aged 15 years. So, Indiraben Bhanabhai Maliwad i.e. the applicant herein being the widow herself and in the capacity of natural guardian of the minor children, is entitled to the compensation as awarded to late Bhanabhai.

(6) In view of the above discussion of facts and circumstances coupled with the documents as produced, this Tribunal is of the opinion to disburse the amount of compensation lying with this Tribunal to the applicant. Further, looking to the copy of award dtd.04.07.2018, the entire amount of compensation, on depositing by the Insurance Company, was ordered to be paid to the claimant by way of account payee cheque. Therefore, it would be just and reasonable to pay the amount of compensation to the applicant accordingly. Hence, following order is passed.

-: ORDER :-

1. It is hereby ordered to pay the amount of compensation lying with the office of this Tribunal as per the judgment

and award passed by the M. A. C. Tribunal (Aux), Dahod dtd.04.07.2018 in M. A. C. P. No.3983/2004 i.e. Rs.1,89,532/- (Rupee One Lac Eighty Nine Thousand Five Hundred and Thirty Two Only) to applicant - Indiraben Bhanabhai Maliwad by way of crediting in her Bank Account with nationalized bank through NEFT or RTGS facility after due & proper verification.

2. The applicant is directed to produce her bank account details along with either a certificate of the Banker giving all details of her bank account including IFS Code or a copy of a canceled cheque of her bank account with nationalised bank or first page of her Bank Account Passbook which will compulsorily contain photograph of the respective claimant/applicant duly attested by the Bank concerned, within one week from the date of pronouncement of this order.

(B) The applicant is directed to keep on updating information regarding her Bank Account, email id if provided, in case there is any change, with the office of this Tribunal, till the realization of amount of compensation.

3. No order is passed as to costs.
4. A copy of this order be placed with the R&P of M. A. C. P No.3983/2004.

The present application stands disposed of accordingly.

Signed and pronounced in open Court on this 09th Day of July, 2026.

Dt.09-07-2026

(Harishchandrasinh Gulabsinh Vaghela)

Place : Dahod

M. A. C. Tribunal (Main),

Dahod.

(Code No.GJ00590)