

**THE MOTOR ACCIDENT CLAIM TRIBUNAL**  
**GANDHINAGAR**

**COMMON ORDER IN**

**M.A.C.M.A. No.45 OF 2026 & M.A.C.M.A No.130 OF 2026**

**(M.A.C.P. NO.440 of 2016)**

**(In Hon'ble High Court of Gujarat R/F.A. No.82 of 2022)**

1. In view of the judgment/order passed in above claim petition, the following order is passed for disbursement of deposited amount:  
1/1. Awarded Amount : Rs.10,38,072=00.  
1/2. Date of Award : 30.11.2019.
2. As per direction of Hon'ble High Court of Gujarat in C.A. No.01 of 2022 in F.A No. 82 of 2022, this tribunal has passed order dated 01.12.2023 in MACMA No. 646 of 2023 in M.A.C.P. No. 440 of 2016 in which 30% from awarded amount has been disbursed and 70% has been fixed deposited in favour of Original claimants.
3. Purshish has been filed vide Ex.5 by the Original Claimants with the endorsement of Ld. Advocate of Insurance Company in MACMA No.45 of 2026.
4. **As per the Order passed by Hon'ble High Court of Gujarat in First Appeal No.82 of 2022, Dated 23.07.2025.**

*"9. For the foregoing reasons, the appeal is partly allowed. The impugned judgment and award dated 30.11.2019 passed by the Motor Accident Claims Tribunal (Main), Gandhinagar in MACP No.440 of 2016 is hereby modified. The original opponents are held jointly and severally liable to pay an amount of compensation of Rs.8,89,100/- as compensation to the original claimants with proportionate costs and interest at the rate of 8% pa from the date of filing of claim petition till its actual realization. Having held so, the amount being 30% of the original award amount being realized and the 70% of the remaining award amount being invested in the Fixed Deposit Receipts, pending this appeal, since the appeal is partly allowed, the Tribunal is directed to refund an amount of Rs.1,48,972/- (Rs.10,38,972/- minus Rs. 8,89,100/-) to the appellant – Insurance Company with the appropriate interest which may have accrued from the date of deposit of the award amount till its actual realization. The remaining amount which is left out, is permitted to be released and disbursed among the claimants as per the apportionment order which may be passed by the Tribunal in favour of the original claimants. In case, if the Tribunal has already invested the amount in the name of respective claimants, the Tribunal may consider the fact that the respondent no.4 having expired, the direction of release and disbursement of the award amount may be acted upon accordingly.*

*10. With these observations, the appeal stands allowed to the aforesaid extent. Registry is directed to send back the Record and proceedings of the case to the concerned Court forthwith."*

5. As per the order passed by Hon'ble High Court of Gujarat, to refund an amount of Rs.1,48,972/- (Rs.10,38,972/- minus Rs. 8,89,100/-) to the appellant – Insurance Company with the appropriate interest which may have accrued from the date of deposit of the award amount till its actual realization.
6. After release of Fixed deposits in the name of Original Claimants as per the endorsement made by Nazir : amount of **Rs. 13,04,026=00**

(Thirteen Lacs Four Thousand Twenty Six only) deposited in the Court.

7. Hence, NAZIR is directed to pay;

7/1. The amount of **Rs.2,84,408=00** (included interest) as per consentment of both the parties. Above mentioned amount should be paid by **NEFT/RTGS** only to " THE NEW INDIA INSURANCE COMPANY LIMITED" as mentioned below.

<b>[1] Name of the Insurance company with Address</b>	THE NEW INDIA INSURANCE COMPANY LIMITED OFFICE AT – C-2, VIKRAM CHAMBER, ASHRAM ROAD, AHMEDABAD
Bank IFSC Code	<b>HDFC0000069</b>
Account No(s) of the Claimants(s)	<b>00690350000239</b>
PAN Number	<b>-- Not provided--</b>

7/2. Remaining amount of **Rs. 10,19,618=00** as per consentment of both the parties should be invested in the nationalized bank in the name of original claimant(s) in MACMA No. 130 of 2026, as mentioned below.

<b>[1] Name of Claimant(s) Victim with Address</b>	VINABEN VIPULKUMAR MODI RESIDING AT - JAMFALIYA VAS,DOLARAN VASNA, GANDHINAGAR 382 320
Aadhar Number	<b>2265 2940 9981</b>
Name of the Bank and Branch	BANK OF INDIA SADRA BAZAAR, GANDHINAGAR
Bank IFSC Code	<b>BKID0002102</b>
Account No(s) of the Claimants(s)	<b>210210110001858</b>
PAN Number	<b>AUKPM4389E</b>
<b>[2] Name of Claimant(s) Victim with Address</b>	VIPULKUMAR RAMESHCHANDRA MODI RESIDING AT - JAMFALIYA VAS, DOLARANA VASNA, GANDHINAGAR
Aadhar Number	<b>2201 0315 1894</b>
Name of the Bank and Branch	BANK OF INDIA SADRA BAZAAR, GANDHINAGAR
Bank IFSC Code	<b>BKID0002102</b>
Account No(s) of the Claimants(s)	<b>210210110001858</b>
PAN Number	<b>AUKPM4292Q</b>
<b>[3] Name of Claimant(s) Victim with Address</b>	JASHODABEN RAMESHCHANDRA MODI RESIDING AT - 4/77 K,

	DOLARANA VASANA, GANDHINAGAR
Aadhar Number	<b>7219 5940 9376</b>
Name of the Bank and Branch	BANK OF INDIA SADRA BAZAAR, GANDHINAGAR
Bank IFSC Code	<b>BKID0002102</b>
Account No(s) of the Claimants(s)	<b>210218210002790</b>
PAN Number	<b>GCIPM3093K</b>

An amount as shown in column No.4 be invested in Nationalized Bank as fixed deposit in the name of Original Claimants as shown in column No.2.

Sr. No	Name of Original Claimants	Period of Years	The amount shall be invested as fixed deposit in any nationalised bank
1	2	3	4
1	VINABEN VIPULKUMAR MODI [40%]	3 Years	Rs. 4,07,848=00
2	VIPULKUMAR RAMESHCHANDRA MODI [40%]	3 Years	Rs. 4,07,848=00
3	JASHODABEN RAMESHCHANDRA MODI [20%]	3 Years	Rs. 2,03,922=00

**With the following terms and conditions :**

1. The said amount shall be invested as fixed deposit in any nationalized bank for the period of Three years in F.D.R. in the name of applicant(s).
2. Without prior permission of this tribunal, the bank should not float any loan or advance against this fixed deposit as per the authority reported in 1996(3) S.C.C.-608 (Supreme Court).
3. The applicant will be entitled to get periodical interest that may accrue on the fixed deposit from time to time as per the rules of the said bank.

The Nazir is directed to receive relevant documents like Aadhar Card, Pan Card, Bank pass book with photograph produced by applicant on the time of payment.

After verification of relevant documents produced by the Applicant and proper identification of the same the Applicant/s will/shall be given Amount of compensation as per above conditions.

Dist: Gandhiangar  
Dated : 16/03/2026

**[ASHISH J.S. MALHOTRA]**  
M.A.C.T (Main)  
Gandhinagar - GJ01504