

**MACMA No. 2 / 2026**  
**(in MACP No.75/2001)**

**Order below Exh.1 :-**

**Applicants :**

**Heirs of deceased Vinubhai @ Vinodbhai Mathurbhai Kakadia:**

**1. Shardaben Vinubhai @ Vinodbhai Kakdiya**

Aadhar Card No. : 9904 8356 0674  
PAN Card No. : DQUPK4513H  
Bank of Baroda  
A/c. No. : 34770100011935  
IFSC Code : BARBOBHESAN  
Branch Name : Bhesan

**2. Hareh Vinubhai @ Vinodbhai Kakadiya**

Aadhar Card No. : 2919 7871 5381  
PAN Card No. : BWMPK1058B  
Bank of Baroda  
A/c. No. : 34770100011935  
IFSC Code : BARBOBHESAN  
Branch Name : Bhesan

**3. Menaben Vinubhai @ Vinodbhai Kakdiya**

Aadhar Card No. : 6452 3805 5689  
PAN Card No. : DQHPK8198H  
Bank of Baroda  
A/c. No. : 34770100011935  
IFSC Code : BARBOBHESAN  
Branch Name : Bhesan

**4. Mayur Vinubhai @ Vinodbhai Kakadiya**

Aadhar Card No. : 4225 5281 4878  
PAN Card No. : DQHPK8236C  
Bank of Baroda  
A/c. No. : 34770100011935

IFSC Code : BARBOBHESAN  
Branch Name : Bhesan

**5. Vajiben Mathurbhai Kakdiya**

Aadhar Card No. : 3101 2325 9744  
PAN Card No. : DQUPK5262D  
State Bank of India  
A/c. No. : 44884634976  
IFSC Code : SBIN0060058  
Branch Name : Bhesan

**V E R S U S**

**Opponents :-**

1. **The Manager,**  
**United India Insu. Co. Ltd.**  
Lohana Vidhyarthi Bhavan, College Road, Junagadh
2. **The Divisional Manager,**  
Gujarat State Road Transport,  
Opp. Motibag, Divisional Office, Junagadh.

**:- ORDER :-**

- (1) Herein, MACP No.75/2001 has been decided by Judgment and Award on 26.03.2014 whereby the claim petition was partly allowed. The applicants had challenged the said order before the Hon'ble High Court vide First Appeal No.1413/2015 which was allowed on 07.04.2025. Therefore, applicants have preferred present application to withdraw the deposited amount of award.
- (2) At the time of passing the Award, the Tribunal has passed the following order:

“જ. ઉપરોક્ત વળતરની રકમ અરજદાર નં. ૧ થી ૫ નાઓ સરખા હીસ્સે મેળવવા હકકદાર થશે.

પ. અરજદારને ચુકવવાપાત થતી રકમમાંથી ૭૦ ટકા રકમ

અરજદારના નામે પાંચ વર્ષ માટે તેમની પસંદગીની રાષ્ટ્રીયકૃત શીડ્યુલ બેંકમાં અથવા પોષ્ટ ઓફીસમાં ફીક્સ ડીપોઝીટમાં મુકવી, અને બાકીની ૩૦ ટકા રકમ અરજદાર નં. ૧ થી ૫ ની ઓળખ અંગે પુરતી ખરાઈ કરી તેમના નામે એકાઉન્ટ પેઈ ચેક ઈસ્યુ કરીને ચુકવવી. અરજદાર નં. ૧ થી ૫ ફીક્સ ડીપોઝીટની રશીદ નિયત સમય પહેલા વટાવી શકશે નહીં અગર તો તેની ઉપર કોઈ લોન આ ટ્રીબ્યુનલની પુર્વ પરવાનગી વગર લઈ શકશે નહીં, પરંતુ અરજદાર નં. ૧ થી ૫ જે તે બેંકમાંથી આ ડીપોઝીટ ઉપર પાકતુ વ્યાજ મેળવી શકશે.”

- (3) But the applicants, being aggrieved and dissatisfied with that judgment and award, filed an appeal bearing R/First Appeal No.1413/2015 wherein the Hon’ble High Court has passed following order on 07.04.2025:

“7.1 The appellants are entitled to enhanced amount of compensation of Rs.2,48,300/- @ 7.5% per annum from the date of claim petition till realization from Insurance Company.

7.2 The Insurance Company is directed to deposit enhanced amount of compensation with interest as above within a period of 6 Weeks from the date of receipt of this order.

7.3 Upon such deposit, it will be open to the appellants to approach the learned Tribunal for appropriate orders for withdrawal. The learned Tribunal shall disburse the same after proper identification and verification following due procedure.

7.4 While making the payment, learned Tribunal/Court shall deduct the Court Fess, if not paid, in accordance with prevailing Rule.

8. The present First Appeal is partly allowed accordingly. The judgment and award dated 26.03.2014 passed by the learned Motor Accident Claims Tribunal (Aux.), Junagadh in MACP No.75 of 2001, is modified to the aforesaid extent.”

- (4) Therefore, since the appeal preferred by the applicants was allowed by the Hon’ble High Court, the present applicants have preferred the present application.
- (5) Thereafter, the concerned Clerk has made an endorsement that writ from the Hon'ble High Court is received for First Appeal No.1413/2015 so far as present MACP is concerned. Same time, statement has been made in the

petition that the applicants had preferred First Appeal No.1413/2015 which was decided on 07.04.2025.

- (6) Ld. Advocate for the opponent-insurance company has made endorsement of “No Objection” over the present application.
- (7) Ld. Advocate for the applicants has declared vide purshis at Exh.7 that the Bank Account details of applicant No.5 produced along with the application has been closed and new Bank Account details as annexed with the said application be taken into consideration. It transpires from the said details that said Bank Account is the joint account with the applicant No.4 and thus, same is taken into consideration.
- (8) The Nazir has endorsed on 05.03.2026 that the amount of Rs.3,57,543/- stands credited in the petition vide Register “C” No.300 dated 23.02.2026. and further endorsed that vide Register “C” No.306 dated 05.03.2026, amount of Rs.3,61,052/- stands credited in this petition and in all amount of Rs.7,18,595/- stands credited in this petition. It is further endorsed that amount of Rs.4,150/- has been deposited with Government towards Court Fees.
- (9) It is further endorsed by the concerned clerk that Court fee of Rs.6,150/- had been paid with the petition and amount of Rs.4,150/- had been deducted and thus, total amount of Rs.10,300/- has already been deducted. It is further endorsed that total Court on amount of Rs.9,98,300/- granted by the Hon’ble High Court is Rs.12,300/- and thus, deficit Court Fee of Rs.2,000/- requires to be deducted.
- (10) It is pertinent to note that the claim petition was filed in the

year 2001 which was decided in the year 2014 and the appeal before the Hon'ble High Court was decided in the year 2025 and thus, since the year of petition more than 24 years have already rolled on and the applicants are still not having the amount disbursed in their favour and therefore, entire amount requires to be disbursed in cash in favour of the respective applicants.

- (11) Therefore, considering the amount and considering the order of the Hon'ble High Court and Award of the Tribunal and in view of the above, the following disbursement order is passed and the present application stands disposed off accordingly.

<b>₹7,18,595/-</b>	The amount deposited to satisfy the award.
<b>Rupees Seven Lakhs Eighteen Thousand Five Hundred Ninety Five Only</b>	
<b>₹2,000/-</b>	Be recovered towards the deficit Court Fee Stamp and to be Credited to the Government.
<b>Rupees Two Thousand Only</b>	
<b>₹7,16,595/-</b>	Remaining Amount be disbursed to the claimant.
<b>Rupees Seven Lakhs Sixteen Thousand Five Hundred Ninety Five Only</b>	
<b><u>OUT OF WHICH</u></b>	
<b>₹1,43,319/-</b>	<b>NEFT/RTGS</b> Be paid to the <b>Applicant No.1</b> through NEFT/RTGS mode in his/her bank account after proper verification and identification.
<b>Rupees One Lakh Forty Three Thousand Three Hundred Nineteen Only</b>	
<b>₹1,43,319/-</b>	<b>NEFT/RTGS</b> Be paid to the <b>Applicant No.2</b> through NEFT/RTGS mode in his/her bank account

	after proper verification and identification.
<b>Rupees One Lakh Forty Three Thousand Three Hundred Nineteen Only</b>	
<b>₹1,43,319/-</b>	<b>NEFT/RTGS</b> Be paid to the <b>Applicant No.3</b> through NEFT/RTGS mode in his/her bank account after proper verification and identification.
<b>Rupees One Lakh Forty Three Thousand Three Hundred Nineteen Only</b>	
<b>₹1,43,319/-</b>	<b>NEFT/RTGS</b> Be paid to the <b>Applicant No.4</b> through NEFT/RTGS mode in his/her bank account after proper verification and identification.
<b>Rupees One Lakh Forty Three Thousand Three Hundred Nineteen Only</b>	
<b>₹1,43,319/-</b>	<b>NEFT/RTGS</b> Be paid to the <b>Applicant No.5</b> through NEFT/RTGS mode in his/her bank account after proper verification and identification.
<b>Rupees One Lakh Forty Three Thousand Three Hundred Nineteen Only</b>	

- Yadi be sent accordingly.

**Date : 20.03.2026**

**Junagadh.**

**(A. R. Rana)**  
M. A. C. Tribunal (Aux)  
Junagadh  
[ GJ00965 ]