

MACMA No. 160 / 2026
(in MACP No.177/2024)

Order below Exh.1 :-

Applicants :

Heirs of deceased Dineshbhai Keshavjibhai Tajpara:

1. Nirmalaben Dineshbhai Tajpara

Aadhar Card No. : 9067 0377 1604
PAN Card No. : AQQPT2978L
Bank of Maharashtra
A/c. No. : 60581386674
IFSC Code : MAHB0001202
Branch Name : Gift Palace Apts., Junagadh

2. Paras Dineshbhai Tajpara

Aadhar Card No. : 8326 9052 9374
PAN Card No. : APPPT2924Q
Bank of Maharashtra
A/c. No. : 60581386674
IFSC Code : MAHB0001202
Branch Name : Gift Palace Apts., Junagadh

V E R S U S

Opponent :-

HDFC Ergo General Insu. Co. Ltd.

:- ORDER :-

- (1) Herein, MACP No.177/2024 has been decided by way of compromise in Permanent Lok Adalat on 18.04.2026 and concerned opponent has deposited the amount as per Award. Therefore, claimants 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:

- “2. The office shall not deduct or recover the amount of Court fees from the awarded amount deposited with this Tribunal, as the matter is compromised in Permanent Lok-Adalat.
3. Court Fee refund Certificate, as the case may be, be issued in the name of the claimants, if the claimants have paid Court fees, if any.
4. As this decision arrived upon the compromise between contesting party without examining merit of each one's case, it would not operate as resjudicata in any other claim petition, arising from very same vehicular accident.
5. Disbursement order shall be passed after award amount is deposited.
6. In view of the above, the present claim petition stands disposed of accordingly as compromised in Permanent Lok-Adalat.

(3) This Tribunal has passed following order at Exh.1:-

“The applicant/applicants shall furnish following information immediately :-

1. Whether appeal has been preferred by either party?
2. Whether any stay order against execution of award of the Higher Court is there?

And further the Senior Clerk, M.A.C.T. Branch shall have endorsement of person concerned that whether any writ for filing of appeal has been received in this matter and whether any stay against execution of award is there or not ?”

(4) Thereafter, the concerned Clerk has made an endorsement on 04.06.2026 that no writ of the Hon'ble High Court is received since 18.04.2026 so far as present MACP is concerned. Same time, statement has been made in the petition that the opponent has not preferred any appeal before the Hon'ble High Court.

(5) The Advocate of the other side has made endorsement of 'No Objection to payment of the amount'.

- (6) The Nazir has endorsed on 16.06.2026 that amount of Rs.8,00,000/- stands credited in this petition vide Register “C” No.64 dated 15.06.2026.
- (7) The applicants have relied upon the order dated 13.08.2024 passed by the Hon’ble High Court of Gujarat in Civil Application (For Stay) No. 1 of 2021 in First Appeal Nos. 1417 of 2022, 1418 of 2022, and 1419 of 2022. However, the applicants have failed to place on record any material regarding the educational qualifications and financial capacity of Applicant No. 1. In the application, the occupation of Applicant No. 1 is shown as household work. Similarly, the occupation of Applicant No. 2 is stated to be private service; however, no details have been furnished regarding the nature of such employment or profession. Therefore, it cannot be reasonably concluded that the applicants possess the requisite financial acumen and capacity to manage the compensation amount if disbursed entirely in cash.
- (8) In these circumstances, while considering the disbursement of the awarded amount, this Tribunal is required to keep in view the welfare, long-term financial security, and overall best interests of the applicants. Consequently, this Tribunal is left with no option but to adopt such measures as may be necessary to safeguard the compensation amount and secure the future interests of the applicants.
- (9) Therefore, considering the amount and also to strengthen the campaign of Lok Adalat and attract the victim to settle the matter in the Lok Adalat and age of the applicants and

considering the Judgment relied by the applicants, it would be just and proper distribute the amount in the ratio of **65% to the applicant No.1** and **35% to the applicant No.2** and out of the amount coming to the share of each applicant, **60%** be invested in **FDR** in respective names of the applicants with usual terms and conditions whereas rest of the **40%** amount be paid in **cash** to respective applicants.

- (10) Therefore, in view of the above, the following disbursement order is passed and the present application stands disposed off accordingly.

₹ 8,00,000/-	The amount deposited to satisfy the award.
Rupees Eight Lakhs Only	
NIL	Be recovered towards the deficit Court Fee Stamp and to be Credited to the Government.
₹ 8,00,000/-	Remaining Amount be disbursed to the claimant.
Rupees Eight Lakhs Only	
<u>OUT OF WHICH</u>	
₹ 2,08,000/-	NEFT/RTGS Be paid to the Applicant No.1 through NEFT/RTGS mode In his/her bank account after proper verification and identification.
Rupees Two Lakhs Eight Thousand Only	
₹ 3,12,000/-	FDR Be Invested as Fixed Deposit in any Nationalized Bank of his/her choice in the name of Applicant No.1 for a period of Five (5) Years
Rupees Three Lakhs Twelve Thousand Only	
₹ 1,12,000/-	NEFT/RTGS Be paid to the Applicant No.2 through NEFT/RTGS mode In his/her bank account after proper verification and identification.
Rupees One Lakh Twelve Thousand Only	

₹ 1,68,000/-	FDR Be Invested as Fixed Deposit in any Nationalized Bank of his/her choice in the name of Applicant No.2 for a period of Five (5) Years
Rupees One Lakh Sixty Eight Thousand Only	

- The above investment be made with the following conditions:
 - No loan, overdraft or advance known by any other name or nomenclature, shall be made available on the said fixed deposit investment, and the Bank shall not allow any encumbrance on the said fixed deposit without written Order of this Tribunal.
 - The interest on the fixed deposit as and when, it becomes due shall be paid **monthly basis** to the applicant/s.
 - The Bank shall intimate to the Tribunal the particulars of the fixed deposit.
 - On maturity of the said FDR, the Bank shall disburse the amount in favour of the applicant/s without insisting any order of this Tribunal.
- Yadi be sent accordingly.

Date : 23.06.2026
Junagadh.

(B. G. Dave)
M. A. C. Tribunal (Main)
Junagadh
[GJ00469]