

	Received on	:	23/09/2025		
	Registered on	:	23/09/2025		
	Decided on	:	13/03/2026		
CNR No. : GJJN220003082025	Duration		Years	Months	Days
			0	5	20

**IN THE COURT OF THE MOTOR ACCIDENT CLAIM
TRIBUNAL (AUXILIARY), VANTHALI**

M.A.C.M.A No.13/2025

Exhibit : -

APPLICANT :

Heirs and dependent of
deceased Ashrafbhai Abidbhai Patel

(1) Kaynatben Ashraf Patel

Age : 38 years, Occupation : Household Work,
R/o. Dungali Bajar, Vanthali

VERSUS

OPPONENT:

(3) ICICI Lombard General Insu. Co. Ltd.

Through Division Manager,
At. Jodiyac Square,
Opp. Gurudwara, S.G. Highway,
Ahmedabad.

APPEARANCE:	
Mr.D.N.Mulchandani	Ld. Advocate for the Applicant
None appears on behalf of opponent	

Subject :	An application regarding the release of the Fixed Deposit (FD) placed in the name of deceased Abidbhai Karimbhai Patel and the payment of the interest amount credited to the savings account of the deceased.
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-: J U D G M E N T :-

1. The applicant has preferred the present application for release of Fixed Deposit invested vide order of this Tribunal and payment of interest amount deposited in saving account. It is further stated that pursuant to the Award dated 24/04/2024 passed in MACP No.10/2019 opponent deposited the award amount with interest and vide order of this Tribunal, amount of Rs.10,54,716/- is invested in F.D. in the name of Abidbhai Karimbhai Patel on 12/08/2024 with Union Bank of India.

2. It is further stated that Abidbhai Karimbhai Patel expired on 25/08/2025 due to illness. In the said Fixed Deposit, the name of Afak Abid Patel, the son of the deceased Abidbhai Karimbhai Patel, is registered as the nominee, after the death of Abidbhai Karimbhai Patel, his son Afak Abidbhai Patel incurred expenses for his funeral and other religious ceremonies performed after his demise, since Abidbhai Karimbhai Patel has expired and the name of his son is registered as the nominee in the Fixed Deposit Account, the applicant has prayed that the entire amount of the Fixed Deposit, along with the interest amount credited to the Savings Account, be paid to Afak Abidbhai Patel. The applicant, Taranaben (daughter of the deceased), and Afak Abidbhai Patel have produced their affidavits in support of the present application and have stated that they have no objection if the amount of the Fixed Deposit along with the interest is paid to Afak Abidbhai Patel.

3. No one has appeared on behalf of the opponent.

4. Read the Award dated 24/04/2024 drawn in MACP No.10/2019. The applicant in the present application was the claimant no.1 in the claim petition and her husband died in the said vehicular accident. As per the award passed by this Tribunal, it was directed to be invested Rs.10,54,716/- in the Fixed Deposit in the name of Abidbhai Karimbhai Patel and as per this order the said Fixed Deposit is invested.

5. This Tribunal has carefully considered the submissions advanced by the applicant and has also taken into consideration the affidavits produced vide Mark 1/1 to Mark 1/3. As per the record and the earlier order, the said amount was invested in a Fixed Deposit in the name of Abidbhai Karimbhai Patel. As per the true copy of Death Certificate produced vide Mark 4/4, it reveals that Abidbhai Karimbhai Patel expired on 25/08/2025, and the applicant, being the daughter-in-law of the deceased and Taranaben Abidbhai Patel, being daughter of the deceased, have expressed their consent for payment of the amount of the said Fixed Deposit to Afak Abidbhai Patel. As per the statement of the applicant, Afak Abidbhai Patel is already registered as the nominee in Savings Account No. 370902010016815 of the deceased maintained with Union Bank, Vanthali Branch. Hence, the applicant may approach the appropriate authority for obtaining payment of the amount lying in the said Savings Account.

6. As far as the Fixed Deposit is concerned, the said investment was created on 12/08/2024 for a period of five years,

and the same will mature on 12/08/2029. Thus, a considerable period still remains for the maturity of the said Fixed Deposit. However, at present, the person in whose name the said Fixed Deposit was created, namely Abidbhai Karimbhai Patel, has expired. The said fixed deposit has been created pursuant to the order of this Tribunal, and no action with respect to the said fixed deposit can be taken without the prior permission of this Tribunal. Therefore, permission order of this Tribunal is required with regard to the said Fixed Deposit.

7. In the present case, the applicant and the other legal heirs of the deceased have expressed their consent to pay the said amount to Afak Abidbhai Patel. Considering the submissions made and the affidavits placed on record, This Tribunal is of the opinion that the amount lying in the Fixed Deposit in the name of Abidbhai Karimbhai Patel be transferred in favour of Afak Abidbhai Patel by creating a Fixed Deposit in his name with the same maturity date. Hence, the following final order is passed.

-:: ORDER::-

- (1) The present application is **hereby partly allowed**.
- (2) The amount of Rs.10,54,716/- lying in Fixed Deposit Account No. 370903020100209 with Union Bank of India, Vanthali Branch, standing in the name of Abidbhai Karimbhai Patel and created on 12/08/2024 for a period of five years, maturing on 12/08/2029, **shall be transferred along with accrued interest, if any, in favour of Afak Abidbhai Patel by creating a Fixed Deposit in his name with the same date of**

maturity.

- (3) The concerned Union Bank of India, Vanthali Branch, is hereby directed to carry out the necessary formalities for transferring the said Fixed Deposit in the name of Afak Abidbhai Patel by creating Fixed Deposit in accordance with this order with a liberty to said Afak Abidbhai Patel to withdraw interest monthly or periodically, as the case may be. The concerned bank is also directed not to permit any loan or advances or to create any encumbrance against the above said F.D. Receipt without prior permission of this Tribunal.
- (4) Yadi of this order be made to the concerned Bank.
- (5) No order as to cost.

Signed and pronounced in the open Court, today on this
13th day of March, 2026.

Date : 13/03/2026.

Place: Vanthali

(Salimbhai Babulal Mansuri)
3rd Additional District Judge &
M.A.C. Tribunal (Aux.),
Vanthali.
[Code No:GJ00698]