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BEFORE THE HON'BLE
MOTOR ACCIDENT CLAIMS TRIBUNAL (AUX),
KHEDA AT NADIAD.

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M.A.C. Misc. Application No. 460/2026  
In  
M.A.C.P. No. 142/2021.  
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APPLICANT:~

1. Malek Munafhusen Ahemadhussain
Age : 53, Occupation : Labour work,
Residence : 1075, Voarvad, Narsanda,
Ta. Nadiad, District : Kheda.

Versus

OPPONENT:~

1. Panjab National Bank, Nadiad Branch

For the Applicant	Ld. Advocate Mr. M.B. Parmar
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JUDGMENT

1. The applicant has preferred the application to release the amount of fixed deposit.
2. The said amount was awarded as per the award passed in M.A.C.P. No.142/2021, in which the victim sustained injuries due to the vehicular accident.
3. The applicant has prayed to release the amount of F.D. Branch Sr. No.374700 and A.C. No.374700RA21070, which is worth of Rs.3,08,300/- on the ground that, the applicant is in need of money because he is having implant impingement over right knee with knee osteoarthritic and, therefore, he is required undergoing implant removal followed by knee replacement surgery. Further he has no any income sources and because of that he need of money, for which he has produced copies of F.D, Pan Card, Adhar Card, Bank passbook and medical certificate, issued by Dr. Nirav Prajapati, Sparsh Orthocare, Nadiad, therefore, he has requested to release the amount of F.D.
4. In support of the application, the applicant has produced copies of Award, F.D, Pan Card, Adhar Card, Bank passbook and medical certificate, issued by Dr. Nirav Prajapati, Sparsh Orthocare, Nadiad etc vide list at Ex.4.

5. Heard the Ld. Advocate for the party and perused the application and documents produced on record.
6. In case of motor accident the endeavour is to put the dependents/ claimants in the pre-accidental position. The compensation in law is paid to restore, the person to nearly to the same position, if the tortuous act or the breach of contract had not been committed. Compensation is, therefore, required to be paid for prospective pecuniary loss i.e. future loss of income/dependency suffered on account of the wrongful act.
7. On perusing the application and case papers, it appears that the case of the applicant is genuine, hence the Tribunal is of the opinion that the interest of justice would serve, if the applicant is allowed to disburse the amount of the Fixed Deposit, therefore, I pass following order

ORDER

1. The application is hereby allowed.
2. The applicant is permitted to withdraw the entire amount of Fixed Deposit, F.D. Branch Sr. No.374700 and A.C. No.374700RA21070, which is worth of Rs.3,08,300/-. The amount be paid by account payee cheque.

3. The concerned office is directed to verify regarding the identification and genuineness of the applicant before disbursing the amount.
4. Yadi be sent to the concerned bank.

Pronounced in open Court.

Date : 21-04-2026.

Nadiad.

(Prakashkumar P. Purohit)

3rd Additional District Judge,

M.A.C.T.(AUX)

Kheda at Nadiad

GJ00685.