ORDER BELOW EXH. `1 IN M.A.C.M.A. NO 184/2026.

1] The present application has been filed by the applicant- **Sudhaben Kishorbhai Shilu** for premature withdrawal of Fixed Deposit of **Rs. 1,25,000/- deposited in his name vide F.D. Receipt No.00610559,on dtd. 10/01/2024 (Having Maturity Date 02/09/2027) with Saurashtra Gramin Bank, Rajkot in connection with M.A.C.P. No. 693/2020.**

2] By filing the present application the Ld. Adv. for the applicant has submitted that; on account of accidental death of Abhishek Kishorbhai Shilu, a **Motor Accident Claim Case No.693/2020** was filed by the claimants, which was compromised in Lok Adalat on 26/06/2022 and in terms of order of Tribunal, amount invested in F.D. as stated above in the name of present applicant. The Ld. Adv. for the applicant has further stated that; the applicant is aged person and unable to perform work and for residential purpose she had recently purchased house property in her name. At present the interest received from the above F.D. is meager one. He has stated that, the applicant has borrowed amount from the family for the purpose of purchase house property and therefore, with a view to repay the same he prayed to permit the applicant to prematurely withdraw the amount of F.D. lying in his name.

3] I have heard the Ld. Adv. for the applicant and perused the documentary evidence produced on record.

Coming to the facts of the present application. From the perusal of documents produced on record, it is undisputed facts that; in Motor Accident Claim Case No.693/2020 filed by the applicant on account of death of Abhishek Kishorbhai Shilu, compromise took place between the parties in Lok Adalat and in terms of order of Tribunal, amount as stated above by the applicant was invested in F.D. in the name of applicant. Further, from the copy of the sale deed produced on record it is also established that; a House Property was purchased by applicant on dtd.9/4/2026.

So far as the grounds ventilated by applicant for premature withdrawal of F.D. amount are concerned. It is the case of applicant that; she is old age and unable to perform work & to pay the borrowed amount to family members, from whom she had borrowed money for purchase of house property she intends to prematurely withdraw the F.D. amount are concerned. As discussed herein above, it is undisputed fact that; the applicant had purchased a House Property in recently on 9/4/2026. Further more, from the sale deed the age of applicant appears 58 years. Further, the amount lying in F.D. since 2/9/2022 i.e. almost 3.5 years and maturity date is in year-2027. Hence, keeping in mind the observation of our own High Court, whereby it is held that "**Motor Accident Claims Tribunals should allow Claimants to withdraw accident compensation money from the Fixed Deposit (FD) to meet the emergency "exigencies**

of life" and hence, considering the genuine necessity of applicant and keeping in mind the observation made by Hon'ble The High Court of Gujarat, if the applicant is permitted to withdraw the amount of F.D. lying in her name, the purpose of justice will be served. Hence, the following final order.

ORDER

01. This **M.A.C.M.A. No. 184 of 2026** is hereby allowed.

02. The applicant Kishorbhai Balshankar Shilu is permitted to prematurely withdraw the Fixed Deposit of **Rs. 1,25,000/- deposited in his name vide F.D. Receipt No.00610559,on dtd. 10/01/2024 (Having Maturity Date 02/09/2027) with Saurashtra Gramin Bank, Rajkot**, deposited in connection with MACP No.693/2020.

03. The Bank is directed to disburse the amount in favour of applicant as stated above after following necessary procedure.

Pronounced in open Court today on this **23rd day of July, 2026.**

[IKRAMKHAN BASIRKHAN PATHAN]
M.A.C.T. (Spl.) & 3rd Addl. District Judge,
Rajkot.
[UIC – GJ000614].

Date 23/07/2026.
Place : Rajkot.

//AMT//