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**IN THE COURT OF MOTOR ACCIDENT CLAIM
TRIBUNAL
RAJKOT AT DHORAJI**

Civil Misc. Application No.12/2026

Exh.:-

APPLICANTS:-

1. Rameshbhai Kanjibhai Paghadar,

Age:63, Occ:None at Present.

R/o.Mathukiya Wadi, Jetpur Road, Dhoraji.

VERSUS

OPPONENT :-

H.D.F.C. Ergo General Ins. Co. Ltd.,

The City Center, Office No.205 to 207,

6th Floor, Old Amrapali Cinema,

Near under bridge, Raiya Road, Rajkot.

Appearance :-

➤ Ld. Advocate **Shri D.R.Vaishanv** – for the Applicant.

Subject : To release the amount invested as Fixed Deposit.

-::JUDGEMENT::-

- 1] The present application has been preferred by the applicant for the release of the amount invested as Fixed Deposit in his name that has been awarded to them as compensation being the Applicant of MACP No.68 of 2017.
- 2] However, the Insurance Company had challenged the said order/judgement before the Hon'ble High Court of Gujarat by filing R/First Appeal No.802 of 2020 and the Hon'ble High Court has ordered that out of the total amount, 70% of the amount be kept in the fixed deposit. Subsequently, an amount of Rs.3,50,000/- were invested in the name of applicant by way of Fixed Deposits in the **Saurashtra Gramin Bank of India vide TDR No.274091 for a period of 3 years i.e. from 07.10.2020 to 07.10.2023.**
- 3] Thereafter, the Hon'ble High Court of Gujarat vide its order dated 06.02.2026 passed in R/First Appeal No.802 of 2020 has held that as the amount is small and meager, considering the aspect of having no dispute in regards to the road accident, dismissed the first appeal filed by the Insurance Company.
- 4] The Ld. Advocate for the applicants has submitted that as the Hon'ble High Court of Gujarat has dismissed the R/First Appeal No.802 of 2020 filed by the Insurance Company, he prays to release the amount invested by way of TDR and argued that the present application may be allowed.

5] This Tribunal has heard the arguments of the Ld. Advocate for the claimant. As the Hon'ble High Court of Gujarat has dismissed the R/First Appeal No.802 of 2020 filed by the Insurance Company as the amount is small and meager, the following order is passed in the interest of justice.

::: ORDER :::

- (1) The present application is hereby allowed.
- (2) The Saurashtra Gramin Bank, Dhoraji, is hereby directed to issue/release the **TDR No.274091 for Rs.3,50,000/-**, to the applicant, with interest which has accrued till date, by way of RTGS/NEFT/Account payee cheque in the favour of the applicant, after due verification.
- (3) Yadi be sent to the concerned bank for compliance of this order.

Signed and Pronounced in the open Tribunal on this 12th day of March, 2026.

DHORAJI

[ALIHUSEN MOHIBULLAH SHAIKH]

DATE :12/03/2026

MACT (AUX)

RAJKOT AT DHORAJI

UIC No. GJ00521