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BEFORE THE MOTOR ACCIDENT CLAIM TRIBUNAL ,BHACHAU-KACHCHH.

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(Old)M.A.C.P. No.: 20/2019

(New)M.A.C.P. No.: 299/2020

ORDER BELOW Exh. 1

IN M.A.C.P. No. 299 of 2020

1. Ld. Advocate for the Parties have Entered into Compromise and They Produced Compromise Pursis Before this tribunal. As per order passed below Compromise Pursis, the same is recorded and accepted.

2. The Ld. Advocates for the claimant and Opponent No.3 - Insurance Company have entered into compromise settling the claim to the tune of Rs. 8,10,000/-(Rs. Eight Lakh Ten Thousand Only). Thus, this Tribunal is of the opinion that the settlement arrived between the parties is legal and within the purview of subject matter of the claim petition and also in the interest of claimant. The compromise is, therefore, recorded in exercise of the powers conferred under Order 23 of the Civil Procedure Code. Hence, following order is passed:

:: ORDER ::

1. Opponent No. 3 - Insurance Company is hereby directed to deposit the above amount of Rs. 8,10,000/-(Rs. Eight Lakh Ten Thousand Only) in the office of this Tribunal towards full & final compensation as settled. After deducting the amount of interim compensation, if any paid U/sec. 140 of M.V.Act, within Three month from the date of this 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 Lok-Adalat.

3. Court Fees Refund Certificate, as the case may be, issued in the name of the claimant, if claimant has paid Court fees, if any.

4. Out of the amount payable to the claimant after about above adjustment, 40% be paid to the claimant by A/c. Payee Crossed Cheque in claimant's name and the remaining 60 % be invested in Fixed Deposit in any Nationalized Banks per the choice of the claimant for a period of five (5) years.

5. The Fixed Deposits be made with the condition that the claimant shall not be entitled to get any loan or advance or to create any burden upon such deposits. However, the claimant is entitled to withdraw the periodical interest upon the deposit.

6. The Bank Authority is directed to pay the amount on maturity of such deposit, without any further order of the Tribunal.

7. In view of the above, the present claim petition stands disposed of accordingly as compensation in Lok-Adalat on 12/03/2022.

Date: 12/03/2022

Place : Bhachau

(**M. F. Khatri**)

7th Additional District Judge

& M.A.C.T. (Aux)

Bhachau-Kachchh

UIC No.: GJ00691