

BEFORE THE MOTOR ACCIDENT CLAIMS TRIBUNAL FOR  
GREATER MUMBAI AT MUMBAI  
(Assigned to C.R. No. 3)

MISC. APPLICATION NO. 159 OF 2026  
IN  
APPLICATION NO. 3527 OF 1997

Smt. Anandibai Raghuvir Parab (since deceased) & Ors.  
... Applicants

Versus

Gulam Haidar Sharif Balsania ... Opponent

And

United India Insurance Co. Ltd. ... Insurer

ORDER

I. Introduction

1. The present Miscellaneous Application is filed by Applicant No.4 seeking recall and disbursement of unclaimed compensation amount of Rs.10,787/- along with accrued interest, which was deposited pursuant to the award passed in Application No. 3527 of 1997.

II. Facts and Background

2. Upon perusal of the pleadings, compromise memo, award, office reports, affidavit, documentary evidence and record, the following facts emerge:

(i) The original claim petition came to be filed under Section 166 of the Motor Vehicles Act, 1988 on account of the accidental death of Shri Jairam Raghuvir Parab on 01/07/1997.

(ii) The said claim petition was amicably settled in Lok Adalat and disposed of by compromise on 27/02/2001 for a total compensation of Rs.2,40,000/- inclusive of no-fault liability under Section 140 of the Motor Vehicles Act.

(iii) As per office record and report of the Accounts Officer, the compensation amount was duly deposited by the insurer and disbursed in terms of the award. However, an amount of Rs.10,787/- remained unclaimed and was accordingly invested in the State Bank of India as "unclaimed amount".

(iv) The office of the Tribunal issued notice dated 10/12/2025 to Applicant No.1 calling upon her to withdraw the said amount.

(v) It is revealed from the death certificate issued by the Municipal Corporation of Greater Mumbai that Applicant No.1 – Smt. Anandibai Raghuvir Parab expired on 01/09/2022.

(vi) The present application is filed by Applicant No.4 – Santosh Raghuvir Parab, being one of the legal heirs, seeking recall of the said unclaimed amount along with interest.

(vii) Applicant Nos.2 and 3 (daughters of deceased Applicant No.1) have filed their no-objection affidavits consenting to release of the amount in favour of Applicant

No.4.

(viii) The identity of the applicants is duly established by Aadhaar Cards, PAN Cards and other documents placed on record.

(ix) The office report confirms that no stay or contrary order has been received from the Hon'ble High Court in respect of the award.

### III. Points for Determination

3. The following points arise for consideration:

1. Whether the applicant proves entitlement to recall of unclaimed compensation amount?
2. Whether the applicant No.4 is entitled to receive the said amount along with accrued interest?

### IV. Findings and Reasons

Point Nos. 1 & 2 – In the Affirmative

4. The present application pertains to disbursement of an unclaimed amount lying with the Tribunal pursuant to an award passed more than two decades ago.

5. It is well settled that Motor Accident Claims Tribunal exercises summary jurisdiction and is duty-bound to ensure that just compensation awarded reaches the rightful claimants.

6. In this regard, the Hon'ble Supreme Court in *Helen C. Rebello v. Maharashtra SRTC* has emphasized that

compensation under the Motor Vehicles Act is a beneficial legislation and must be interpreted in a manner that advances justice.

7. Further, in *Jai Prakash v. National Insurance Co. Ltd.*, the Hon'ble Supreme Court issued comprehensive guidelines to ensure expeditious disbursement of compensation and to avoid retention of amounts by Tribunals unnecessarily.

8. Similarly, in *General Manager, Kerala SRTC v. Susamma Thomas*, it has been held that the Tribunal must ensure proper disbursement of compensation to claimants and safeguard their interest.

9. The Hon'ble Bombay High Court in *New India Assurance Co. Ltd. v. Smt. Kalpana* has reiterated that procedural technicalities should not defeat substantive justice in motor accident claims.

#### 10. Analysis of Evidence

Upon careful scrutiny the existence of unclaimed amount of Rs.10,787/- is duly proved by office record and Accounts Officer's report. The death of original Applicant No.1 is established through valid death certificate. The applicants are legal heirs of the deceased and their identity is duly verified. Applicant Nos.2 and 3 have unequivocally given consent (No Objection) in favour of Applicant No.4.

There is no rival claim or objection from any party. No stay order from higher courts is in operation. Thus, the applicant has satisfactorily established entitlement.

#### Legal Position

12. The Tribunal derives inherent powers to pass appropriate orders for ends of justice. Even though Section 141 CPC is invoked, the Tribunal, being guided by principles of justice, equity and good conscience under the Motor Vehicles Act, can order disbursement of unclaimed amounts to rightful claimants.

13. The Hon'ble Supreme Court in N. Suresh v. Yusuf Shariff has reiterated that procedural provisions should not obstruct delivery of compensation to victims or their legal heirs.

#### V. Conclusion

14. In view of the above discussion, this Tribunal is satisfied that the amount is lying unclaimed; the original claimant has expired; the present applicants are legal heirs. There is no dispute inter se. The claim is bona fide and supported by documentary evidence. Hence, the application deserves to be allowed.

#### VI. ORDER

##### Order

1. The Miscellaneous Application No. 159 of 2026 is

allowed.

2. The unclaimed amount of Rs.10,787/- along with accrued interest thereon, lying deposited with the Tribunal, be recalled.

3. The said amount shall be released in favour of Applicant No.4 – Santosh Raghuvir Parab, by NEFT/RTGS, subject to verification of bank details and identity.

4. Applicant Nos.2 and 3 shall not have any claim over the said amount in view of their no-objection.

5. The Accounts Officer, MACT, Mumbai is directed to comply with this order within four weeks.

6. Miscellaneous Application stands disposed of accordingly.

Pronounced in open Court

Date: 9/4/2026

Place: Mumbai

(Shashikant E. Bangar)  
Member, C.R. No. 3,  
Motor Accident Claims Tribunal, Mumbai