



50% amount be invested in FDR of a nationalised bank in the name of minor applicant No.2 till he attains majority.

3. It further appears from the present application that the insurer challenged the said award before the Hon'ble High Court of Bombay by filing First Appeal No.1702 of 2025. The authenticated copy of the order annexed with the application shows that the said First Appeal and connected interim applications came to be dismissed for want of prosecution on 16.02.2026 by the Hon'ble High Court.

4. The office report on record states that The Oriental Insurance Co. Ltd. deposited an amount of Rs.11,54,495/- in MACT, Mumbai by NEFT on 19.08.2025 and that the said amount was invested in the name of Accounts Officer, MACT, Mumbai in Bank of Maharashtra, Girgaon Branch on 22.09.2025. Another office endorsement states that the High Court order dated 16.02.2026 in F.A. No.1702/2025 uploaded on the Hon'ble High Court website is the same order attached by the learned advocate and that thereafter no order from the Hon'ble High Court or Hon'ble Supreme Court was received in the matter till the date of the report.

5. Applicant No.1 has filed affidavit affirming that minor applicant No.2 is under her care and custody and that there is no conflict of interest between them. Identity documents of applicant No.1 are also annexed with the application.

6. The Motor Vehicles Act is a beneficial legislation. Once the award has attained finality, or at least the challenge thereto has been dismissed and no subsisting stay or contrary order is shown, the Tribunal would be justified in taking steps to ensure that the compensation reaches the beneficiaries without undue delay. At the same time, in the matter of disbursement, the Tribunal is duty bound to protect the interest of vulnerable claimants, particularly minors. The principles laid down by the Hon'ble Supreme Court in *General Manager, Kerala SRTC v. Susamma Thomas*, (1994) 2 SCC 176, continue to guide the manner of safe disbursement of compensation, and the Supreme Court has subsequently reiterated that MACT deposits are to be disbursed in accordance with that law.

7. In *A.V. Padma v. R. Venugopal*, (2012) 3 SCC 378, the Hon'ble Supreme Court explained that rigid insistence on long-term fixed deposit is not necessary in every case of adult, literate claimants, but investment is mandatory in the case of minors, and the Tribunal must adopt a course that both secures the amount and serves the claimant's welfare.

8. In the present matter, applicant No.1 is a major claimant and widow of the deceased. Her entitlement under the award is already determined. The challenge preferred by the insurer has been dismissed. The deposited amount is lying invested under orders of the Tribunal. Therefore, release of the share of applicant No.1, together with

proportionate accrued interest thereon, is just, proper and in consonance with the beneficial object of the enactment.

9. However, so far as applicant No.2 is concerned, he is still shown in the present proceedings as a minor represented through applicant No.1. The original award had specifically protected his share by directing investment till majority. There is nothing on record warranting departure from that protective arrangement. On the contrary, settled law requires preservation of the minor's share. Hence, the amount apportioned to applicant No.2 together with proportionate accrued interest shall continue to remain invested in a nationalised bank till he attains majority, subject to such further orders as may be passed on an appropriate application if circumstances so require.

10. Consequently, the application deserves to be partly allowed. **Hence, the following order is passed:**

#### **ORDER**

- i. Miscellaneous Application No.167 of 2026 is **partly allowed.**
- ii. The Accounts Officer, MACT, Mumbai shall take steps to recall/redeem the invested amount lying in the name of Accounts Officer, MACT, Mumbai, together with accrued interest, subject to bank procedure.
- iii. Out of the total amount so recalled, **50% share of**

**applicant No.1 - Smt. Swati Sudesh Kadam**, together with the proportionate accrued interest thereon, shall be released and transferred to her bank account by NEFT/RTGS, after due verification of identity, PAN/Aadhaar, bank particulars and after obtaining usual undertaking/receipt, as per rules.

iv. The remaining **50% share of applicant No.2 - Mast. Mayuresh Sudesh Kadam**, together with proportionate accrued interest thereon, shall **not be released in cash** and shall continue to be invested/reinvested in fixed deposit in a nationalised bank in his name till he attains majority, through his natural guardian applicant No.1, with auto-renewal facility, if necessary.

v. Applicant No.1 shall not create any third-party interest, charge or encumbrance over the minor's share, and the same shall be subject to further orders of this Tribunal.

vi. On applicant No.2 attaining majority, he shall be at liberty to apply for withdrawal of his invested share with accrued interest, on producing proof of age, identity and bank details.

vii. Deficit court fees, if any, be recovered as per rules.

viii. No order as to costs in this miscellaneous application.

**Pronounced in open Court.**

Date: 18/4/2026

Place: Mumbai

(Shashikant Eknathrao Bangar),

Member, CR3,

Motor Accident Claims Tribunal, Mumbai