

**COMMON ORDER BELOW EXH.1 AND EXH.7 IN EXECUTION
APPLICATION NO.380 OF 2024 IN MACP NO.301 OF 2016**

1. Exh.1 is an Execution Application preferred by the original claimant Miss. Dipali Subhash Sawant claiming recovery of Rs.42,82,292/- from the Opposite party and the Insurance company. Since the litigation between the claimant (Decree Holder) and the Insurance company (Judgment Debtor) reached up to the Hon'ble Supreme Court, further proceedings therein had been stayed by the Hon'ble Supreme Court since the Insurance company complied the direction given by the Hon'ble Supreme Court.

2. In the meantime, the claimant preferred application (Exh.7) to recall an amount of Rs.40,00,000/- deposited by the Insurance company which was invested vide Court Order dt. 17.07.2025 and further, to pay the same to her (Claimant) alongwith the interest accrued thereon.

3. Ld. Adv. Mr. Mendon while canvassing, submitted that both i.e. Execution Application No.380 of 2024 and Application Exh.7 have to be disposed of finally once the payment as requested in Application Exh.7 is directed as prayed therein.

4. Report of Accounts Officer dt. 13.03.2026 indicates that the Insurer- SBI General Insurance Co. Ltd. has deposited **Rs.22,60,682/-** on **22.03.2025** in the Account of MACT through NEFT. In this way, on **21.07.2025** the total amount of **Rs.40,09,840/-** has been deposited in the name of Accounts

Officer, MACT, Mumbai in State Bank of India, Fort Branch, Mumbai on auto renewal basis. Additionally, he further reported that an amount of **Rs.3,68,647/-** was also deposited by the Insurer on **12.02.2026**.

5. Report dt. 10.04.2026 of Writ Section indicates that the Order dt. 09.01.2026 in Petition (s) for Special Leave Appeal (C) No.No.27445/2024 is uploaded and available on the Website of the Hon'ble Supreme Court is the same which is attached by the applicant's Advocate and no further Order in respect of this matter is available on the Website of the Hon'ble Supreme Court.

6. Following facts are necessary to be referred :

- a MACP No.301 of 2016 was allowed and disposed of on 25.09.2021.
- b The claimant preferred Appeal before the Hon'ble High Court being F.A. No.84 of 2022 for enhancement
- c The Hon'ble High Court allowed the F.A. No.84 of 2022 on 08.05.2024 enhancing the compensation amount awarded by the MACT, Mumbai.
- d The Insurance Company preferred SLP (Civil) before the Hon'ble Supreme Court vide SLP (Civil) Diary No.40348 of 2024 : I.A. No.210740 dt. 11.11.2024
- E The Hon'ble Supreme Court granted stay against the Execution of Award initiated in the MACT, Mumbai vide Order dt. 11.11.2024
- F For the safety, this Tribunal vide Order dt. 17.07.2025 below Application Exh.6 in the Execution Application No.380 of 2024 directed to deposit amount of Rs.40,00,000/- in an interest bearing Fixed Deposit of a Nationalized Bank i.e. State Bank of India, Fort Branch, Mumbai on Auto Renewal Basis

- G Accordingly, the Accounts Officer appears to have deposited the said amount as directed in the Order dt. 17.06.2025 passed by this Tribunal below Exh.6

These are the facts on record.

7. Now the claimant- applicant filed the copy of Order dt. **09.01.2026** passed by the Hon'ble Supreme Court in **Special Leave to Appeal (C) No.27445/2024** holding and directing as follows:

1) After hearing learned counsel for the parties, we do not find any infirmity in the amount of compensation as allowed and the award as passed by the High Court. Accordingly, the **special leave petition is dismissed. Pending application (s), if any, shall stand disposed of.**

2) I.A. No.253449 of 2025 is filed by claimant respondent No.1 for withdrawal of **Rs.40,00,000/- (Rupees Forty Lakhs)** deposited by the petitioner with the Motor Accident Claims Tribunal pursuant to **Order dt. 11.11.2024** passed by this Court. The interlocutory application stands allowed.

3) Pursuant to the amount as awarded by the High Court, the remaining amount, which is not deposited, be now deposited alongwith interest as directed within four weeks and the same be disbursed to the claimant- respondent No.1.

8. It is therefore clear that the Special Leave Petition preferred by the Insurance company against the judgment of enhancement delivered by the Hon'ble High Court on 08.05.2024 has been dismissed confirming the judgment of the enhancement dt. 08.05.2024 delivered by the Hon'ble High Court. The Hon'ble Supreme Court further directed the

Insurance company to deposit remaining amount which is not deposited by the Insurance company, along with interest within 4 weeks and the same has to be disbursed to the claimant. It appears that the Insurance company has deposited remaining amount of Rs.3,68,647/- in addition to the already deposited Rs.40,00,000/-, on 12.02.2026, as evident from the report of Accounts Officer dt. 13.03.2026. The Report of Writ **Section dt. 10.04.2026** also indicates that except the **Order dt. 09.01.2026** passed by the Hon'ble Supreme Court in Special Leave Appeal (C) No.27445 of 2024, there is no subsequent order available on the Website of the Hon'ble Supreme Court.

9. In the aforesaid premises, following order is passed :

ORDER

1. The Accounts Officer shall get the amounts of **Rs.42,82,292/-** as well as **Rs.3,68,647/-** **alongwith the interest accrued thereon until its realization** and further transferred the same in the Saving Account of the original claimant – the applicant Miss. Dipali Subhash Sawant only after providing the details of her Bank Account, as mandated by the Hon'ble Supreme Court in the recently circulated authority and after verifying the identity of the claimant.

2. Execution Application No.380 of 2024 as well as Application Exh.3 therein are disposed of finally.

(M.G. Deshpande)
Member, C.R. 2
MACT, Mumbai

Date : 10.04.2026
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