

IN THE COURT OF SHRI R. S. SALGAONKAR, M.A.C.T.
COURT NO.2, Nagpur

MACP M.A. No.711/2025

Rizwana Vs. Nil

ORDER BELOW EXH. 1

(Passed on 26th September 2025)

ORDER ON APPLICATION FOR PREMATURE WITHDRAWAL OF FIXED DEPOSIT

1] This order on the application filed by the petitioner under Section 151 CPC for premature withdrawal of the amount deposited pursuant to the judgment dated 04.05.2022 in the above-noted claim petition.

2] It is stated in the application that an amount of Rs. 5,26,000/- (Rupees Five Lakhs Twenty-Six Thousand only) was deposited by way of fixed deposit in Union Bank of India, [Branch details, if available], in compliance with the directions of this Court.

3] The petitioner seeks withdrawal of the aforesaid amount for the specific purpose of purchasing a residential house. In support thereof, the petitioner has produced a copy of the registered Agreement to Sell bearing No. NAG 1967 dated 19/03/2020 for a consideration of Rs. 7,50,000/- (Rupees Seven Lakhs Fifty Thousand only) executed in her favour.

4] It is averred that the petitioner intends to convert the deposited amount into real estate investment, and the same is not meant for any other extraneous expenses. The purpose appears to be genuine and bona fide, warranting allowance of premature withdrawal in the interest of justice.

5] Heard learned counsel for the petitioner. None present for the respondent despite service. Record perused.

6] In view of the above, the application is allowed. The Nazir of this Court is directed to release the fixed deposit amount of Rs. 5,26,000/- (Rupees Five Lakhs Twenty-Six Thousand only) along with accrued interest, if any, in favour of the petitioner. The release shall be effected within a period of 15 days from today, subject to deduction of any applicable taxes or charges as per law.

7] The Nazir is further directed to inform the bank and cause the transfer of the aforesaid amount directly into the bank account of the petitioner Rizwana Zamir Khan, A/c No. 442402010921490, Union Bank of India, Civil Lines, Nagpur Branch, IFSC Code: UBIN0544248.

- 8]** The petitioner shall file an affidavit of compliance regarding utilization of the amount for the stated purpose within 30 days of withdrawal.
- 9]** File be consigned to record room after due compliance.
- 10]** Announced in open Court today i.e.

sd/-
(Shri. R.S. Salgaonkar)
Member,
Motor Accident Claims Tribunal-2,
Nagpur.

Nagpur
Date: 26/09/2025