

ORDER BELOW EXH.1 IN M.A.C.P. No. 413/2023

(01) In view of compromise pursis placed on record by the Learned Advocates of claimant and Insurance Company respectively, vide Exh.18, this M.A.C.P. is hereby disposed off as compromised.

(02) As per the said compromise pursis, the amount of **Rs.7,25,000/- (Rupees Seven Lacs Twenty Five Thousand Only)** is ordered to be deposited in this Tribunal by the opponent No. 2 within a period of **six** months from the date of compromise.

(03) Since the matter is settled in Lok Adalat, therefore, the Court Fees Refund Certificate of the full amount of the court fees paid in the present proceeding shall be issued as per Sub-section (1) of Section-21 of the Legal Services Authorities Act, 1987 read with Section-16 of the Court Fees Act, 1870, in the name of the claimant herein.

(04) After deducting interim amount of compensation paid, if any, U/s.140 of the M. V. Act, **60%** of the amount of compensation be fixed deposited in any Nationalized Bank to the choice of the claimant for a period of 5 (five) years and remaining **40%** amount to be paid through RTGS or NEFT mode, upon proper verification and identification. If the claimant/s is/are senior citizen then the Bank shall

after obtaining the proof of age, deposit the said amount in a scheme of senior citizen. The interest on the fixed deposit investment as and when it becomes due will be paid to the claimant/s.

The Bank is directed that no loan or facility of cash-credit or overdraft or likewise be allowed on this amount of fixed deposit. The amount invested in fixed deposit is also not subject to the withdrawal prior to its maturity or without prior permission of this Tribunal.

Claimant/s are directed to submit following details within one week from today:

1. Name of the claimant(s)/victims(s) with address.
2. Name of the Bank & Branch Bank IFSC Code Account No(s). of the claimant(s)/victim(s).
3. The first page of the bank pass-book, which will compulsorily contain the photograph of the claimant(s)/victims(s), duly attested by the Bank concerned, should be made available.
4. Wherever the claimant/victim is impleaded before the claim Tribunal, his account details as above, will have to be furnished.

The insurance company / transport corporation / such other entities, as the case may be, as per the directions made in circular dated 24.12.2021 issued by Hon'ble Principal District Judge cum Motor Accident Claim Tribunal (Main), Bharuch, arising out guidelines issued by Hon'ble

Apex Court vide order dated 16.03.2021 and 16.11.2021 passed in case titled "Bajaj Allianz General Insurance Company Private Limited Vs. Union Of India & Ors.", Writ Petition (Civil) 534/2020, shall deposit the compensation amount through RTGS / NEFT mode in the account of Additional District Judge, Bharuch, the details of which are as under: -

Account name	MOTOR ACCIDENT CLAIM TRIBUNAL BHARUCH
Branch name	State Bank of India, Muktinagar Branch, Bharuch.
Account No.	40759978524
IFSC Code	SBIN0008278
MICR	392002002

On such deposits being made, the insurance companies / transport corporations / such other entities, as the case may be, either in person or through e-mail to be addressed to e-mail i.d. of MACP Tribunal, i.e., mactbha@gmail.com shall submit a letter to the Registry of District Court enclosing a copy of the said bank advice, in prescribed format as per which the deposit was made to the bank account of the Claims Tribunal, to enable the Claims Tribunal to keep tab on the deposits made and the MACPs for which they were made, which is a fundamental need for a smooth implementation. The payment advice for remittance of compensation is as under:

PAYMENT ADVICE FOR REMITTANCE OF COMPENSATION

From:

.....Bank.....

To:

.....Court.....

We confirm remittance of compensation as follows on instructions of (insurance company/transport corporation):

1. MACP Number
2. Case Disposed date
3. Name of Court and Judicial Officer
4. Name of applicant
5. Name of applicant's Lawyer
6. Name of opponent
7. Name of opponent's lawyer
8. Amount of claim
9. TDS Amount if any,
10. UTR Number

The Insurance Companies / Transport Corporations / such other entities making such deposits, shall also send a copy of the payment advice in the aforesaid Clause to the Claims Tribunal concerned and serve a copy of the same on the claimant or their counsel as the case may be.

Insofar as tax deduction at source, if any, is concerned; Form 16-A of the Income Tax Act should be provided to the claimant/victim on whose behalf the deduction has been made so as to enable him to seek

refund of tax deducted.

Memo of cost be drawn accordingly in terms of compromise award. File be consigned to record room after due compliance as per rules.

Signed and pronounced in open Tribunal on this 8th day of March 2025.

Date : 08.03.2025 Place: Bharuch	(Ejaz Mohsinali Shaikh) 2 nd Additional District Judge & M.A.C.T. (A)., Bharuch. <u>Code No.GJ00627</u>
-------------------------------------	---