

ORDER BELOW EXH.1 IN MACP NO. : 59/2018

Today is Lok Adalat. In view of Compromise Pursis vide Exh.15, signed and submitted by Advocates for both the parties, the said M.A.C.P. is hereby disposed off, in Lok Adalat.

The Opponent Insurance Company is hereby directed to deposit the amount of **Rs.7,00,000/- (Rupees Seven Lakh only)** by A/c. payee cheque before this tribunal within a period of one month from the date of the Compromise. The amount will be distributed amongst the claimants in the following proportionate:

Claimant No. 1 - Mother - 50%

Claimant No. 2 - Father - 50%

After deducting the interim amount of compensation, if any, paid under Sec.140 of the M.V.Act, the **50%** amount coming to their share be paid in cash by way of Account Payee Cheque to the claimants on their proper identification and verification. Remaining **50%** amount be invested

in the bank of the choice of the claimants for a period of five years keeping nomination clause with a condition that no loan or advance or charge would be admissible on this amount, but the claimants would be entitled to get periodical interest that may accrue to them on the said FDR or the interest on the fixed deposit investment, as and when it becomes due, shall be paid to the applicant.

The Bank is directed that no loan or facility of cash-credit or over-draft 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.

The Court fee refund certificate of the full amount of the court fees paid in this 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(s) herein.

Considering the compromise between the parties, no order as to costs.

Award be drawn accordingly in terms of compromise.

Signed and pronounced in open court on this 5th day of January, 2019.

Date: 05/01/2019.

Place: Bharuch
SMS

(Samir Vinodchandra Vyas)
Motor Accident Claims Tribunal(A)
Bharuch
Code No. GJ00345