

**THE MOTOR ACCIDENT CLAIM TRIBUNAL (AUX) AND
6th ADDITIONAL DISTRICT JUDGE, AT BHARUCH.**

M.A.C.M.A. No. 509 of 2022
(Arising out of M.A.C.P No. 487/2019)

Claimant :

1. Gohil Virendrasinh Rajendrasinh
Age : 22 Years, Occu: Service,
Residing at : Vagra, Ta. Vagra, Dist. Bharuch.

VERSUS

Opponents :

3. ICICI Lombard General Insurance Co. Ltd.
Blue-chip Building, Sevashram Road, Bharuch.
6. The New India Assurance Company Ltd.
Address :College Road, Bharuch.

Appearance:

Ld. Advocate Mr. D.B.Parmar for the Claimant.

Ld. Advocate Mr. P.G.Shah for opponent no. 3 - Ins. Co.

Ld. Advocate Mr. P.K.Parmar for opponent no.6 - Ins. Co.

-:: ORDER BELOW EXH.1 ::-

(01). Read this application and seen the endorsement made by the Nazir of District Court, Bharuch. Perused 'no objection' pursis submitted by Ld. Advocates for the opponents - Insurance Companies vide Exhs.4 & 5, as well as award passed by way of compromise, happened between the parties on 05.09.2022 in M.A.C.P. No. 487/2019 vide mark-3/1. Accordingly, opponent no.3 - ICICI Lombard General Insurance Co. Ltd. has deposited **Rs.14,00,000/- (Rupees Fourteen lakh only)** and **opponent no. 6 - The New India Assurance Company Ltd. has also deposited Rs.12,500/- (Rupees Twelve thousand five hundred only)** as compensation before this Tribunal. Therefore, the claimant has filed this application to withdraw the said amount. Thus, in view of the award of the Tribunal vide mark-3/1, after deducting deficit court fees, if any

the amount of Rs.2,28,000/- incurred by the claimant towards his treatment be paid to him in cash, and out of the remaining amount, 60% of the amount shall be invested as fixed deposit through RTGS / NEFT in any nationalized bank in the name of the claimant for a period of 5 years and remaining 40% of the amount shall be paid in cash by way of RTGS / NEFT, upon proper verification and identification. Hence, the following final order.

- Rs.14,12,500/- The amount deposited by opponents – Insurance Companies granted by the Tribunal to the claimant.
- Rs. 7,500/- Be deducted from the said amount as the remaining court fees stamp to be recovered from the claimant. Out of remaining
- Rs.14,05,000/- Be paid to the claimant in the following manner :

Name of claimant	Total amount (Rs.)	Medical Exp. + 40% amount be paid in cash to the claimant by way of RTGS / NEFT upon proper verification and identification.	60% amount be fixed deposited through RTGS / NEFT in Baroda Gujarat Gramin Bank, Bharuch in the name of claimant for a period of 5 (five) years.
Gohil Virendrasinh Rajendrasinh	Rs.14,05,000/-	Rs. 2,28,000/- Rs. 3,34,000/- ----- Rs. 5,62,000/-	Rs.8,43,000/-

Conditions:	The Bank Authority is hereby directed that no loan or advance or charge would be admissible to the claimant on this amount without prior permission to this Tribunal. However, the claimant would be entitled to get the periodical interest that may accrue on the said Fixed Deposit receipt.
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Sign & Pronounce in open Court today i.e. 8th October 2022.

Date: 08.10.2022

(Hetalkumar Vinodray Joshi)
Motor Accident Claim Tribunal (Aux)
& 6th Addl. Sessions Judge,
Bharuch.
(Code No.GJ00599)