



Order Below Exhi.- 1

1. The present application has been preferred by applicant, Khetaram Devaji Purohit, for releasing the amount of **Rs.5,57,366/-**, which was passed in M.A.C.P. filed u/s. 166 of the M.V. Act bearing **No. 26/2021** on dated - **13/08/2022**.
2. Looking to the endorsement made by the Registry, neither any appeal nor any revision has been filed by the opponent no.2 and the amount of **Rs.5,57,366/-** has been deposited by the opponent, i.e., The Oriental Insurance Co. Ltd., as per the verification report of Nazir bearing **'C' No.285, dtd. 08/09/2022** and the opponent has also made endorsement of No Objection vide Exhi.1. Hence, the amount deposited in the Court shall be paid to the concerned applicant in terms of decree.
3. Perusing the record, it appears that an amount of Rs.6,84,700/- was awarded by the tribunal in M.A.C.P. No. 233/2014 on dated- 24/06/2022 with an interest rate of 7.5%, upon which, the amount of Rs.5,57,366/- has been deposited by the opponent as per the verification report of Nazir bearing 'C' No.285, dtd. 08/09/2022. However, perusing the decree passed in M.A.C.P. No.233/2014, it appears that, out of the total amount awarded, 70% amount shall be invested as FDR in the name of the applicant in any nationalized bank of his choice for a period of FIVE YEARS and the remaining 30% amount shall be paid to the applicant in his Bank Accounts after due identification and verification, and accordingly, I pass the following order:-

- : O R D E R : -

1. The present application is partly allowed.
2. Nazir of this Court is hereby directed to pay the compensation amount to the applicant in following manner. Out of the total amount and after deduction of court and stamp fee, i.e., **Rs.5,34,214/-**, 70% of the amount, i.e., **Rs.3,73,950/-** shall be invested as FDR in the name of applicant in any nationalized bank or Government security of the choice of the applicant for a period of FIVE YEARS and the remaining 30% of the amount, i.e., **Rs.1,60,264/-** shall be paid to the applicant through Account Payee Cheque after due verification.

Pronounced in the open Court, today on **18th** of **October**, 2022.

Date: 18/10/2022
Place: Palanpur

(R. R. Dave)
Chairman,
M.A.C.T. (Auxi.),
B.K. District @ Palanpur
(Code-GJ00601)