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**ORDER BELOW APPLICATION EXH.-1
IN
MOTOR ACCIDENT CLAIM MISC APPLI. NO. 1 OF 2019**

[1] Heard, the Learned advocate of the claimants. As per the endorsement of Nazir, **CHOLAMANDLAM MS GEN. CO. LTD.** has deposited amount of Rs. **38,975/-** in the Court, as per interim application of Exh. 5. The Insu. Co. has also declared to the effect that Insu. Co. has no objection in paying this amount to the claimants. In view of the above facts and circumstances, following order is passed.

// ORDER //

1. The present application is allowed.
2. Considering the ratio laid down by the Hon'ble Apex Court in the case of **A.V. Padma V/s. R. Venugopal, reported in 2012(1) G.L.H (SC), 442**, the order of investment is not passed for applicant because he is neither minor nor illiterate..
3. On realization of amount:-
 - From the share of applicant, 30 % amount shall be paid in cash by A/c. Payee Cheque to him and the remaining 70% amount shall be deposited in any Nationalized Bank initially for three (3) years in F.D.R., in his name and if the matter is not disposed off, then it may be renewed from time to time till the case is disposed off.

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4. The interest on the above fixed deposit investments as and when it becomes due, shall be paid to the applicants/natural guardian of minor, in cash.
- No loan, overdraft or advance known by any other name or nomenclature shall be made available on the said fixed deposit investments and the bank shall not allow any encumbrance on the said fixed deposit.
 - The bank shall intimate to this Tribunal the particulars of the fixed deposit investments, such as the date of investment, number of fixed deposit receipt, date of maturity etc., immediately after the issue of fixed deposit receipt.

Signed and pronounced in the open Court on this 24th Day of January, 2019 at Morbi.

Date : 24-01-2019.
PLACE: MORBI.

RIZVANA A. BUKHARI-GHOUGHARI]
GJ00916
M.A.C.T. (MAIN), MORBI.