

Court No. - 7

Case :- MATTERS UNDER ARTICLE 227 No. - 6418 of 2024

Petitioner :- Chandni Gupta

Respondent :- Motor Vehicle Claim Tribunal Sitapur

Counsel for Petitioner :- Dhananjay Trivedi

Hon'ble Pankaj Bhatia,J.

1. Heard learned counsel for the petitioner.
2. Present petition has been filed challenging the order dated 10.12.2024 whereby the request of the petitioner for release of the amount deposited in terms of the claim petition has been rejected.
3. The contention, as appears from the record is that, an MACT case was decided awarding a compensation of Rs.49,00,000/-. Out of which Rs.29,70,000/- was directed to be paid to the petitioner. Out of the said amount, an amount of Rs.14,20,000/- was paid to her and the balance amount was directed to be placed in three FDRs of Rs.5,50,000/- for a period of two years, Rs.5,00,000/- for a period of three years and Rs.5,00,000/- for a period of five years. The petitioner moved an application for release of the said FDRs as she required the money to offset the dues of her husband. The said application has been rejected mainly on the ground that the petitioner has not given any satisfactory explanation with regard to spending the amount of Rs.14,20,000/-.
4. The said order is wholly perverse inasmuch as the petitioner is a major lady and requires the money for payment of the dues of the husband. The reasoning recorded in the impugned order is wholly arbitrary. As such, the impugned order dated 10.12.2024 is set aside.
5. The MACT concerned is directed to release the amount in favour of the petitioner which are kept in three FDRs by passing appropriate orders within a period of four weeks.
6. Present petition stands ***allowed*** in above terms.

Order Date :- 20.12.2024

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