

In the High Court of Punjab and Haryana at Chandigarh

**Civil Revision No. 3422 of 2015
Date of Decision: 18.5.2015.**

Krishan and another

.....Petitioners

Versus

Suresh Kumar and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Susheel Gautam, Advocate
for the petitioners.

SABINA, J.

Petitioners have filed this petition under Article 227 of Constitution of India challenging the order dated 4.5.2015 (Annexure P-3).

I have heard the learned counsel for the petitioners and have gone through the record available on the file carefully.

Petitioners had filed claim petition claiming compensation on account of death of their minor son in a roadside accident. In the Lok Adalat, petitioners were awarded compensation to the tune of ₹ 3,00,000/- vide award dated 6.12.2014. Out of the said amount, ₹ 75,000/- was paid to the petitioners in cash and the remaining amount of ₹ 2,25,000/- was ordered to be invested in two Fixed Deposit Receipts for a period of three years. Petitioners moved an application for withdrawal of the

amount invested in the Fixed Deposit Receipts as the same was required by them for domestic purposes. The Tribunal fell in error in dismissing the application moved by the petitioners. Since the petitioners need the amount invested in the Fixed Deposit Receipts for their domestic purposes, the Tribunal should have permitted the petitioners to withdraw the amount invested in the Fixed Deposit Receipts. Moreover, as per the award passed by the Lok Adalat, no direction was given to invest the amount of compensation in Fixed Deposit Receipts.

Accordingly, this petition is allowed. Impugned order dated 4.5.2015 (Annexure P-3) is set aside. Manager, State Bank of Patiala, Mini Secretariat, Sonapat is directed to release the amount invested in the Fixed Deposit Receipt No. 950940 to petitioner No. 1-Krishan and amount invested in Fixed Deposit Receipt No. 350939 to petitioner No. 2-Rekha, forthwith.

**(SABINA)
JUDGE**

May 18, 2015
Gurpreet