

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

-:-

Civil Revision No.6057 of 2013

Date of Decision:18.11.2015

Narinder Kaur

....Petitioner

Versus

Jagir Singh & Ors.

.....respondent

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

1.Whether Reporters of local papers may be allowed to see the judgment?

2. To be referred to the Reporters or not?

3.Whether the judgment should be reported in the Digest?

Present: Mr. Kushagra Mahajan, Advocate, for the petitioner.

Mr. Ashwani Talwar, Advocate, for respondent No.2.

ARUN PALLI, J.(ORAL)

Vide award dated 03.06.201, rendered by the Motor Accident Claims Tribunal, Amritsar, claim petition preferred by Savinder Kaur w/o Manjit Singh, Narinder Kaur widow of Gurwinder Singh, Manjit Singh S/o Banta Singh, was accepted and the claimants were held entitled to a sum of Rs.4,68,500/- as compensation on account of death of Gurwinder Singh. Savinder Kaur was awarded 15% of the compensation awarded by the Tribunal, likewise Manjit Singh too was awarded the same amount. And the balance 70% of the compensation was awarded to Narinder Kaur widow of Gurvinder Singh. Concededly, the award rendered by the Tribunal had since become final between the parties. But as an application moved by the petitioner for issuing the payment voucher in her name i.e. Narinder Kaur being daughter of Mahinder Singh instead of being widow of Gurvinder Singh, had been dismissed, she is before this Court. The conclusion

recorded by the Tribunal in support of its order reads as thus:-

“5. Admittedly, the compensation was granted to applicant Narinder Kaur since she alleged herself to be widow of Gurwinder Singh. The payment is to be made to her in that capacity, as Narinder Kaur widow of Gurwinder Singh. She has come up with a strange request that refund voucher be issued to her as Narinder Kaur D/o Mahinder Singh since she does not have any documentary proof of her marital status being widow of Gurwinder Singh. In case her request is allowed there is a grave risk of some impersonator, collecting the money and it will be deviation from the award. Vide award compensation has been awarded to Narinder Kaur widow of Gurwinder Singh and not Narinder Kaur daughter of Mahinder Singh. Therefore the refund voucher can certainly be not issued in favour of Narinder Kaur daughter of Mahinder Singh. The request in that regard lacks merit and stands declined accordingly.”

Concededly, petitioner Narinder Kaur had filed a claim petition being widow of Gurvinder Singh on account of whose death the compensation was awarded by the Tribunal. Whereas, the refund voucher was/is being claimed by the petitioner in the name of Narinder Kaur D/o Mahinder Singh. In fact, the Tribunal has observed that no documentary proof was brought on record by the petitioner to prove her marital status being widow of late Gurvinder Singh. That being so, the Tribunal had rightly declined the prayer of the petitioner.

No ground is made out to interfere, in exercise of revisional jurisdiction. The petition being devoid of merit is dismissed. However, this would

not cause any impediment to the petitioner to move a fresh application, supported by a credible material, to show that she indeed is the widow of late Gurvinder Singh and obtain appropriate orders.

November 17, 2015
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(ARUN PALLI)
JUDGE