

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

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**Civil Revision No.7120 of 2015
Date of Decision:21.10.2015**

Ram Kishan

....petitioner

Versus

Joginder and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

- 1.Whether Reporters of local papers may be allowed to see the judgement?**
- 2. To be referred to the Reporters or not?**
- 3. Whether the judgment should be reported in the Digest?**

Present: Mr.Pawan Attri, Advocate
for the petitioner

ARUN PALLI, J.(ORAL):-

Vide order being assailed, dated 26.05.2015, rendered by Motor Accidents Claim Tribunal, Kaithal, application moved by the petitioner/claimant for releasing the amount of FDR No.095272 dated 10.09.2014, has since been dismissed.

Concededly, vide Award, dated 09.05.2014, a sum of ₹ 6,38,000/- was granted to the petitioner by way of compensation. However, 50% of the awarded amount i.e. ₹ 3,65,782/- was released to him and rest was ordered to be kept in form of an FDR on 10.09.2014, in the name of the petitioner for a period of two years. It is maintained that the petitioner, who happens to be a sole claimant, is an old and aged person and has no other source of income. For, he requires the amount ₹ 3,65,782/- to carry out the repairs of his old house and to meet his day to day expenses, therefore, the amount

kept in FDR be released along with the interest up to date.

That being so, the petition is partly accepted and the order dated 26.05.2015, is modified to the extent that only 50% of the amount i.e. ₹3,65,782/- which is lying deposited in the form of FDR No.095272 dated 10.09.2014, shall be released to the petitioner, along with interest thereon, and the balance shall continue to remain deposited till the date of maturity. The petitioner shall move a requisite application, in this regard, before the Executing Court and obtain appropriate orders.

21.10.2015

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(ARUN PALLI)
JUDGE