

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No. 149 of 2016

1. Ku. Krishna Kewat D/o Gabbar, Aged About 9 Years Minor, Represented Through Legal Guardian Son Gabbar Son Of Paklu Kenwat, R/o Vilage Godhi (S), Tahsil Bhatapara, District Balodabazar Bhatapara (Chhattisgarh)

---- Petitioner

Versus

1. Mahesh Kumra Dhurv S/o Baisakhu Ram Dhruv, R/o Village Kodapar, Thana Bhatapara Gramin, District Bhatapara, P.S. & Tahsil Bhatapara, District Raipur, District Balodabazar Bhatapara (Chhattisgarh)
2. Smt. Jatindar Singh Rana W/o Shri Manjeet Singh Rana, R/o Gandhi Mandir Ward, Bhatapara, Thana & Tahsil Bhatapara, S. & Tahsil Bhatapara, District Raipur, District Balodabazar Bhatapara (Chhattisgarh)
3. The Oriental Insurance Company Limited, Divisional Office No. 1, Madina Building, Jail Road, Kachhari Chowk, District Raipur (Chhattisgarh)

---- Respondents

For Petitioner : Shri P.K. Patel, Advocate
For Respondents not noticed.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order On Board

02/03/2016

1. Learned counsel for the petitioner submits that the matter may be disposed of at the motion stage itself.
2. Heard.
3. Perused the impugned order dated 14.1.2016 whereby the Court below has rejected the prayer of the petitioner -minor to permit her to withdraw Rs.1,00,000/- for the requirement of her father for construction of

the house. The Court below appreciated that about 2 months ago, father of the applicant had disbursed the claim amount about Rs.5,50,000/- and the applicant -minor through her guardian i.e. father again praying for Rs.1,00,000/- to withdraw it from the amount of fixed deposit in the name of the minor.

4. On due consideration, as a settled law, the amount deposited, if any, in the name of a minor should not be disbursed to the parents for their necessity. Just 2 months ago, Rs.5,50,000/- has already been disbursed to the father of the applicant i.e. Gabbar Kewat. I do not see any illegality or impropriety in the impugned order dated 14.1.2016 and the petition is not maintainable.

5. Accordingly, the instant Writ Petition (227) is dismissed as not maintainable at the motion stage itself.

6. Registry is directed to send the copy of this order to the Court below for information and to take note.

Sd/

(Chandra Bhushan Bajpai)

Judge