

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

1. CR No.535 of 2016
Date of decision : 11.02.2016

Bala Devi

...Petitioner

Versus

Naresh Kumar and ors.

...Respondents

2. CR No.595 of 2016
Date of decision : 11.02.2016

Munshi Ram

...Petitioner

Versus

Naresh Kumar and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

1. Whether reporters of local newspapers may be allowed to see judgment ?
2. To be referred to reporters or not ?
3. Whether the judgment should be reported in the Digest ?

Present: Mr. S.K. Yadav, Advocate for the petitioner.

AMIT RAWAL, J. (Oral)

As per office report, respondents have been served, but there is
no representation.

Prayer in the petitions is for release of FDR which has been

declined by the trial Court by holding that there is no mention in the order dated 28.02.2012 passed by the MACT allowing the claim. The MACT, Narnaul vide its order dated 28.02.2012 awarded Rs.2,50,000/- to the claimants but imposed a condition that 50% of the amount shall remain deposited in a nationalized bank in shape of FDR @ 7.5% of interest per annum. Thereafter applicant preferred an appeal for enhancement in this Court, which was decided on 14.5.15 and amount of compensation was enhanced to Rs.5,00,000/- @ 9% p.a. with the identical direction of learned Trial Tribunal.

Mr. S.K. Yadav, learned counsel appearing on behalf of petitioner submits that on direction of trial tribunal an amount of Rs.84,433/- is deposited in shape of FDR No.630004 on 11.9.2015, which is to mature on 11.9.2018, with Allahabad Bank, Narnaul. An application dated 5.1.16 for release of said amount of FDR, prematurely, was filed before District & Sessions Court/MACT, Narnaul as on account of marriage of daughter of the petitioners. They are in dire need of money. The application was dismissed on the ground that there is no order as regard to release of amount prematurely.

I have heard learned counsel for the petitioner and appraised the paper book.

As per Annexure P-3, marriage of the daughter is slated for 22.02.2016. No reasons have been assigned for declining the application for disbursement. The purpose of granting of the compensation to the victim of accident is to provide immediate relief and not in the manner and mode by keeping the amount deposited in the bank. In case, the effected parties is

prevented from to enjoying fruit of the compensation, it becomes meaningless in case the money desired at particular time is not utilized. Since marriage of the daughter is on 22.02.2016, I am of the view that entire amount lying in the shape of FDR with the MACT along with interest is ordered to be released in favour of the petitioner subject to the satisfaction of MACT before the date of marriage.

Revision petitions are allowed.

A copy of this order be given under the signature of Reader of this Court.

11.02.2016

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**(AMIT RAWAL)
JUDGE**