

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.5996 of 2016

Date of Decision: September 14, 2016

Paramjit Kaur

...Petitioner

Versus

Bhopal Singh & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

Present: Mr.Ashish Gupta, Advocate,
for the petitioner.

AMIT RAWAL, J. (Oral)

Petitioner-claimant in Claim Case No.1262 of 2013, is aggrieved of the imposition of condition of furnishing surety bond.

Mr.Ashish Gupta, learned counsel for the petitioner submits that vide award dated 3.7.2015, compensation to the tune of ₹17,60,265/- was awarded. The said amount contained element of interest. A sum of ₹17,60,265/- has been deposited, but the Executing Court has imposed a condition of furnishing of surety bond over and above the amount. He submits that there is no such condition in the main award. He submits that the condition of furnishing of surety bond is onerous as the award did not indicate anything of such sort.

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

In my view, at the best the petitioner-claimant should have been ordered to furnish indemnity bond instead of surety bond as she has already suffered a lot owing to the demise of her husband. The whole idea in

awarding the compensation is to mitigate the agony qua the loss of the loved ones. Putting of such condition is adding a fuel to the fire. In my view, at the best, the Court should have ordered for release of the amount of compensation subject to furnishing of indemnity bond instead of surety bond.

Accordingly, the impugned order is modified. The releasing of amount of compensation shall be subject to furnishing of indemnity bond only and there shall be no condition of surety bond.

Revision petition stands disposed of.

September 14, 2016
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable:

Yes/No