

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Civil Revision No.8656 of 2016

Date of Decision: 21.12.2016

NANU MAYA THAPA

.....Petitioner

Vs

MOTOR ACCIDENT CLAIMS TRIBUNAL, GURGAON AND
OTHERS

....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Vipul Aggarwal, Advocate
for the petitioner.

RAJ MOHAN SINGH, J. (Oral)

[1]. Petitioner has assailed order dated 05.07.2016 (Annexure P-2) passed by Motor Accidents Claims Tribunal, Gurgaron (for short 'the Tribunal') vide which the total amount of FDRs was not allowed to be released in her favour.

[2]. Petitioner is a widow having large family to maintain. The release of the amount was sought for better management of household activities. Petitioner is major and in view of law laid down by the Hon'ble Apex Court in **H.S.Ahammed Hussain & Anr vs Irfan Ahammed & Anr, 2002(2) RCR (Civil) 513** a fixed deposit of the amount in case of adult was not held proper. Even otherwise, the petitioner being widow is entitled to the amount

amount after encashment of the FDRs in order to meet out the day-to-day household and other expenses of the family.

[3]. In view of above, the revision petition is disposed of with a direction to the Tribunal to pass appropriate order for releasing the amount in question, in favour of the petitioner.

December 21, 2016

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**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No