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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ MAC.APP. 975/2012

NATIONAL INSURANCE CO LTD. ..... Appellant
Through: Nemo.

versus

SANT BAKSH AND ORS. ..... Respondents
Through: Mr. Neeraj Sachdeva, Advocate

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

O R D E R

% **20.09.2016**

C.M.No. 34522/2016 (u/S 151 CPC)

By way of this application, first respondent prays for modification of order of 31st May, 2012 vide which the entire compensation amount has been invested into fixed deposit receipt for an indefinite period.

Learned counsel for applicant-respondent No.1 submits that respondent No.1 is a poor person and is in need of money. On inquiry, it is disclosed that applicant-respondent No.1 is a fourth class pass and is doing work of white washing.

Upon hearing and on perusal of the contents of order and the application, I find that applicant-respondent No.1 has been permitted to withdraw monthly interest through his saving accounts and encashment of fixed deposit receipt is permitted after obtaining permission of the court.

No case for modification of order of 31st May, 2012 is made out, as it is not shown as to how much money applicant-respondent No.1 needs and for what purpose. It is apparent that the fixed deposit receipt for an indefinite period is directed to be made to protect the interest of applicant-respondent No.1 and it is open for him to apprise this court as to how much money he needs and for what purpose. Investment of awarded compensation into fixed deposit receipt is with a purpose to protect the interests of applicant-respondent No.1 so that he does not fritter away with the money.

With aforesaid observations, this application is disposed of.

SUNIL GAUR, J

SEPTEMBER 20, 2016

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