

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

CR No.3399 of 2017

Date of decision: May 11, 2017

Beena Rani and another

....Petitioners

Versus

Surinder and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. R.S. Randhawa, Advocate
for the petitioners.

JASPAL SINGH, J.(ORAL)

By virtue of the instant civil revision petition preferred under Article 227 of Constitution of India, petitioners have sought setting aside of the order dated 21st October, 2016 passed by Motor Accident Claims Tribunal, Patiala (for short 'Tribunal' only) whereby an application seeking direction to release the amount of FDR No.CTD/3 930230 to the tune of Rs.2,50,000/-, has been declined.

Undisputably, vide Award dated 10th October, 2012, petitioners, namely, Beena Rani and Vikas (minor son) were granted compensation to the tune of Rs.8,26,000/- + Rs.10,000/- (on account of loss of consortium to claimant No.1) along with interest from the date of filing the claim petition till its actual realization on account of the death of Narain Singh, husband of petitioner No.1 and father of minor son Vikas in a vehicular accident. At that time, since claimant-Vikas was minor, his half share of the compensation was ordered to be deposited in the shape of FDR in the nationalized bank which was to be disbursed to him on attaining the age of majority. Now an application was moved before the Tribunal by Ms. Beena Rani and Vikas for the disbursement of the amount of aforesaid

FDR which has been declined.

The contention of the learned counsel for the petitioners is that in fact, Vikas (minor) is student of 6th Class. There is no other source of income with the widowed mother of Vikas (minor) to look after him as well as to incur the expenses for his education.

After hearing learned counsel for the petitioners and going through the record, this Court is of the view that it would not be justified to release the amount of FDR to the petitioners but at the same time, some other way out can be sorted out so that there may not be any pecuniary problem for the widowed mother to look after and meet the expenses for upbringing her minor child. Thus, the instant petition is disposed of with the direction to the concerned Bank to release/disburse the amount of interest accrued on the aforesaid FDR till date to petitioner-Beena Rani widow of late Narain Singh with further direction to continue to disburse the quarterly interest which would accrue on the FDR till Vikas (minor) attains the age of his majority.

With the abovesaid observation, the instant civil revision petition stands disposed of.

May 11, 2017

m. sharma

(JASPAL SINGH)

JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No