

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

CR No. 4660 of 2017

Date of Decision: 03.08.2017

BABY KASISH AND OTHER MINOR

-PETITIONERS

VS

ORIENTAL BANK OF COMMERCE

-RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Naresh Kaushik, Advocate,
for the petitioners.

RAJ MOHAN SINGH, J. (ORAL)

Petitioners have filed this revision petition with a prayer to release the amount in FDRs deposited in their account. Petitioners have been represented by their mother and natural guardian Manju.

The amount in question is sought to be encashed on the ground that the mother of the petitioners has no source of income. The only bread earner of the family i.e. her husband has expired in the accident. Both the petitioners are school going. In order to meet day to day expenses, the amount so deposited in the FDR is required to be encashed.

Learned counsel relies upon **H.S. Ahammed Hussain Vs. Irfan Ahammed, (SC) 2002(3) RCR (Civil) 563**

(SC) for pressing the claim of the petitioners.

Since the deposit was made as per orders of the Motor Accident Claims Tribunal, therefore, in my view, the Bank would be having no objection for such a course.

In view of above, let 50% of the amount deposited in the FDRs in the name of the petitioners be allowed to be withdrawn and be made available to the petitioners along with consequent interest applicable thereto within two weeks from the date of receipt of certified copy of this order.

Disposed of.

03.08.2017
jyoti

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No