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

**Civil Revision No.8165 of 2017
Date of Decision: 22.11.2017**

DALJEET KAUR

.....Petitioner

Vs

INDIAN BANK, KURUKSHETRA AND ORS.

....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Abhimanyu Lathar, Advocate
for the petitioner.

RAJ MOHAN SINGH, J. (Oral)

[1]. Petitioner has assailed the order dated 22.09.2017 passed by the Motor Accident Claims Tribunal, Kurukshetra (hereinafter to be referred as the 'Tribunal') vide which the application for release of amount lying deposited in the form of FDR was dismissed.

[2]. Brief facts are that an award was passed on 12.12.2015 and the Tribunal had passed the order for deposit of an amount of Rs.4,55,554/- in the shape of FDR in the name of applicant for a period of three years. In the application in question, the applicant/petitioner alleged that due to dilapidated condition of her house, she needed the money for which she

sought to get the FDR encashed by seeking necessary permission from the Tribunal. The application was declined by the Tribunal on the premise that only one year has passed from the date of deposit of amount in the FDR and photographs showing condition of her house were not sufficient to treat the same to be true picture.

[3]. I have considered the submission made by learned counsel for the petitioner.

[4]. In view of nature of order which this Court proposes to pass at this stage, there is no necessity to issue any notice to the respondents.

[5]. Since the deposit was made by order of the Tribunal, therefore, the Bank would be having no serious objection in case the amount lying deposited in the account of the petitioner only is allowed to be withdrawn along with interest till date. In view of **H.S. Ahammed Hussain vs. Irfan Ahammed, SC 2002 (3) RCR (Civil) 563**, withdrawal of the amount lying deposited in the account of the adult should not be declined until and unless strong reasons are recorded. In the instant case, the need projected by the petitioner is in respect of poor condition of her house. The amount was deposited about two years ago.

[6]. In view of facts and circumstances of the case, I deem

it appropriate to allow withdrawal of the amount deposited in the shape of FDR in the name of the petitioner along with consequent interest applicable thereto within a period of two weeks from the date of receipt of certified copy of this order. Ordered accordingly.

[7]. Petition stands disposed of accordingly.

November 22, 2017	(RAJ MOHAN SINGH)
<i>Atik</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No