

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

FAO No. 3316 of 2016 (O&M)

Date of Decision: 11.05.2017

AMANDEEP KAUR AND OTHERS

... Appellants

VS.

**UNION OF INDIA THROUGH GENERAL MANAGER, NORTHERN
RAILWAY.**

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH.

Present: Mr. Somesh Gupta, Advocate,
for the appellants.

Mr. Karminster Singh, Advocate,
for the respondent.

KULDIP SINGH, J (ORAL)

Heard.

This is the first appeal filed against the judgment dated 16.05.2016 passed by the learned Railway Claims Tribunal, Chandigarh Bench, Chandigarh (hereinafter referred as “the Tribunal”) vide which the claim application filed by the applicants-appellants was allowed and compensation to the tune of ₹ 4.00 Lakhs to the applicants-appellants. However, following conditions were imposed by the Tribunal:-

- “1. Applicant Smt. Amandeep Kaur present wife of the deceased shall get ₹1,50,000/- out of which respondent shall deposit ₹20,000/- in her saving account whereas remaining amount of ₹1,30,000/- shall be kept in Fixed Deposit in her favour for 3 years”
2. Gurpartap Singh Son of the deceased born from first wife, shall get total of ₹1,50,000/- out of which respondent shall deposit ₹20,000/- in his Saving Account whereas remaining amount of ₹1,30,000/- shall be kept in Fixed Deposit in his favour for three years”

In the aforesaid conditions only ₹20,000/- each were ordered to be released to the applicants-appellants No. 1 and 2 respectively whereas

remaining amount of ₹1,30,000/- each in respect of applicants-appellants No. 1 and 2 were ordered to be kept in FDR for three years.

Learned counsel for the applicants-appellants has stated that imposing of such conditions is unjustified.

After hearing the learned counsel for both the parties, I am of the view that when the applicants-appellants claim that they need the money as they are to run their family, it is unjust to impose such conditions. Hence, the above noted conditions are set aside and the amount of compensation alongwith interest as awarded by the Tribunal, is ordered to be released in one go in respect of applicants-appellants No. 1 and 2 by depositing the same in their respective accounts furnished by them.

In view of the above, the present appeal is allowed.

May 11, 2017
Suresh Kumar

(KULDIP SINGH)
JUDGE

<i>Whether speaking / reasoned</i>	:	✓ Yes	/	No
<i>Whether Reportable</i>	:	Yes	/	✓ No