

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

FAO No. 3330 of 2016 (O&M)
Date of Decision: 11.05.2017

RAZEENA BEGUM 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. Karaminder Singh, Advocate,
for the respondent.

KULDIP SINGH, J (ORAL)

Heard.

This is the first appeal filed against the judgment dated 23.05.2016 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 alongwith interest @ 6% per annum w.e.f. 20.11.2014 i.e. date of filing of claim application before the Tribunal. However, following conditions were also imposed by the Tribunal in releasing of the aforesaid compensation:-

- “1. Applicant Razeena Begum wife of the deceased shall get ₹2,00,000/- out of which respondent shall deposit ₹10,000/- in her saving account whereas remaining amount of ₹1,90,000/- shall be kept in Fixed Deposit in her favour for 3 years”
2. Rest of the compensation amount shall be equally divided among other four claimant Kamber Shahwan, Saddam Hussain and Jamshad Begum each shall get deposited ₹10,000/- in their Saving Account whereas remaining amount of ₹40,000/- shall be kept in Fixed Deposit in his favour for three years”

Learned counsel for the applicants-appellants has stated that imposing of such conditions is unjustified. He further stated that since, the applicants-apellants No. 1 to 4 are major, therefore, there is no justification in depositing the major portion of the compensation in the FDR.

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, it is unjust to impose such condition. 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 to the applicants-appellants No. 1 to 4 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>	:	<i>Yes</i>	<i>/</i>	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	<i>/</i>	<i>No</i>