

**127-a IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**FAO No.1977 of 2017 (O&M)
Date of decision : May 03, 2017**

Renu and others

..... Petitioners

Versus

Union of India

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

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

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

Learned counsel for the appellants contends that the appellants were granted compensation to the tune of ₹8,00,000/- along with simple interest @ 12% per annum from the date of passing of the judgment dated 01.03.2017 till the payments are made, on account of death of Ramesh Kumar in an untoward incident with the railway. The appellant Nos.2 and 3 are minors.

Learned counsel for the appellants has further stated that the Railway Claim Tribunal, Chandigarh Bench, Chandigarh (for short 'the Tribunal') while passing the judgment has imposed the following conditions, vide judgment dated 01.03.2017:

“However, out of compensation amount awarded in favour of applicant No.1, initially only 15% will be released to her in cash and rest of the amount together with the interest accrued thereon, shall be kept in fixed deposits in her favour in the same bank for a period of three years. However, after one year, 1/3 of the amount will be released to the applicants, another 1/3 after

completion of two years and remaining amount will be released after completion of third year. As far as shares of both minor applicants, namely, Lavish & Prince, their shares will be kept in fixed deposits in any nationalized bank nearest to the place of their residence, payable to them after the age of attaining majority. However, the applicants are at liberty to move applications by coming themselves for the release of amounts.”

It is claimed that appellant No.1 (wife of the deceased) needs money in lump sum. Keeping in view the fact that appellant No.1 is young and that the appellant Nos.2 and 3 (children of the deceased) are minors, aged about 3 years and 1 year at the time of filing of the claim application. Appellant No.1 need money for the upbringing of the children and running day to day affairs of the family.

In view of the above, the abovenoted conditions imposed by the Tribunal, qua appellant No.1 Renu are set aside.

The present appeal is allowed to the abovenoted extent.

(KULDIP SINGH)
JUDGE

May 03, 2017

sarita

Whether speaking / reasoned Yes

Whether Reportable: No