

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No. 2743 of 2017 (O/M)
Date of decision : 28.4.2017

Harpreet Kaur and others Appellant (s)
Versus
Union of India Respondent (s)

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 ?
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KULDIP SINGH J. (ORAL)

Heard.

Notice of motion.

On behalf of respondent-UOI, Mr. Karminder Singh, Advocate, accepts notice.

The Railway Claims Tribunal, Chandigarh Bench, Chandigarh, vide its judgment dated 11.4.2017, has allowed the claim application and compensation to the tune of Rs. 8,00,000/- was awarded to the applicants-appellants. The appellants aggrieved of the following condition imposed by the Tribunal has approached this Court by way of filing the present appeal :-

“ However, out of compensation amount awarded in favour of the applicants, initially only 15% will be released to them in cash and rest of the amount together with interest accrued thereon, shall be kept in fixed deposit in their favour in the same bank for a period of three years in case of a major. However, after one year, 1/3rd of the amount will be released to the applicants, and another 1/3rd after completion of two years and remaining amount will be released after completion of third year.”

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After hearing the learned counsels for both the parties, I am of the view that two of the applicants-appellants (appellants No. 2 and 3 herein) are of advanced age. There is no reason for keeping the money in the fixed deposit. The applicants-appellants should be allowed to use the money the way they like. Therefore, the abovenoted condition imposed by the Tribunal is set aside and the money is ordered to be paid in one go to the applicants-appellants in equal shares alongwith interest.

In view of the above, the present appeal is allowed to the abovenoted extent.

(KULDIP SINGH)
JUDGE

28.4.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No