

FAO No. 2747 of 2017 (O/M)

Date of decision : 28.4.2017

Rajwant Kaur

..... Appellant (s)

Versus

Union of India

..... Respondent (s)

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

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

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 18.4.2017, has allowed the claim application and compensation to the tune of Rs. 8,00,000/- was awarded to the applicant-appellant. The appellant aggrieved of the following condition imposed by the Tribunal has approached this Court by way of filing the present appeal :-

“ However, out of the aforesaid compensation amount payable to the applicant, initially only 15% of the compensation amount shall be paid to her immediately and rest of the entire amount together with interest accrued thereon shall be invested in the fixed deposit in her favour in the same bank for a period of three years. However, after one year, one third of the amount will be released to the applicant. The another one third will be released in the second year and the remaining amount will be released after the completion of third year.”

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After hearing the learned counsels for both the parties, I am of the view that on account of amputation of both the limbs, the applicant-appellant needs money for her continuous treatment. There is no reason for keeping the money in the fixed deposit. The applicant-appellant should be allowed to use the money the way she likes. Therefore, the abovenoted condition imposed by the Tribunal is set aside and the money is ordered to be paid in one go to the applicant-appellant 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