

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No. 3010 of 2017 (O/M)

Date of decision : 8.5.2017

Ram Rati and another Appellant (s)

Versus

Union of India Respondent (s)

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Parminder Singh, 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.

Mr. Karminder Singh, Advocate, who is present in Court today, accepts notice on behalf of respondent.

Since it is a matter regarding the conditions imposed by the Railway Claims Tribunal, Chandigarh Bench, Chandigarh, (in short 'the Tribunal') in an award dated 6.3.2017, the same can be decided without calling for the record.

On account of death of son of the applicants-appellants, compensation to the tune of Rs. 8,00,000/- was awarded by the Tribunal, vide judgment dated 6.3.2017. However, following condition was imposed by the Tribunal :-

“ However, out of the compensation amount awarded in favour of both 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

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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.”

It is stated that the appellants are the parents of the deceased and that the imposing of such condition is unjust.

After hearing the learned counsels 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 abovenoted condition is set aside and the amount of compensation as ordered by the Tribunal is ordered to be released in one go by depositing the same in the accounts of the applicants-appellants, furnished by them.

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

(KULDIP SINGH)
JUDGE

8.5.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No