

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No. 3020 of 2017 (O/M)

Date of decision : 8.5.2017

Nirmla Devi and others 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 condition imposed by the Railway Claims Tribunal, Chandigarh Bench, Chandigarh, (in short 'the Tribunal') in an award dated 2.2.2017, the same can be decided without calling for the record.

The applicants-appellants, who are widow, major son and daughter of late Bijender Kumar @ Vijender, were awarded compensation to the tune of Rs. 8,00,000/- by the Tribunal, vide judgment dated 2.2.2017. However, following condition was imposed by the Tribunal :-

“ However, out of the 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 deposits 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. However, the applicants are at liberty to move applications by coming themselves for the release of amounts.”

The applicants-appellants claim that they need money in one go and that the imposing of the condition is unjust.

Keeping in view the facts and circumstances, 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