

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(227) No. 183 of 2018

1. Ramcharan Suryavanshi, Aged About 50 Years, S/o Late Chhedi Lal,
2. Sanjay Suryavanshi, Aged About 20 Years, S/o Ramcharan Suryavanshi,
3. Ajay Kumar Suryavanshi, Aged About 18 Years, S/o Ramcharan Suryavanshi,
4. Vijay Kumar Suryavanshi, Aged About 11 Years, S/o Ramcharan Suryavanshi,
5. Ku. Santoshi Suryavanshi, Aged About 9 Years, D/o Ramcharan Suryavanshi,

No.4 and 5 are minor, Through Legal Guardian Father Ramcharan Suryavanshi S/o Chhedi Lal,

All are by Caste Suryavanshi, R/o House No. 827, Nilgiri Nagoikhar, Darri, Tahsil Katghora, District Korba, Chhattisgarh

---- Petitioners

Versus

1. Ramakant Sahu S/o Shri Rambhajan Sahu, Aged About 36 Years R/o Irrigation Colony Darri, P.S. Darri, District Korba, Chhattisgarh,
2. Sanat Kumar Sahu @ Sant Kumar Sahu S/o Tanda Ram Sahu, R/o Parsabhatha, Balco Nagar, District Korba, Chhattisgarh,
3. Branch Manager, United India Insurance Company Limited, Branch Korba, Through United India Insurance Company Limited, Korba, District Korba, Chhattisgarh

---- Respondents

For petitioners – Shri G.R. Miri and Shri Basant Kawairtya, Advocates.
For State- Shri Suryakant Mishra, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

5/03/2018

Heard.

1. Instant petition is against the order dated 2/02/2018 passed by the Additional Motor Accident Claims Tribunal, Katghora, District Korba.
2. Learned counsel for the petitioners submits that marriage of the petitioners No.2 and 3 namely Sanjay Suryavanshi and Ajay Kumar Suryavanshi have been fixed on 13/03/2018 and 14/03/2018. He submits that initially amount of Rs.5,40,000/- was awarded, out of which Rs.1 lakh

was paid and remaining amount of Rs.4,40,000/- was kept in the fixed deposit for 3 years. He submits that considering the fact that petitioners No.1, 2 and 3 they are major and the marriage is fixed unless and until some money is given, no purpose will be served and their share of claim may be given to them.

3. Perused the documents. Marriage invitation card of Sanjay Kumar and Ajay Kumar has been attached wherein it shows that marriage is fixed on 13/03/2018 and 14/03/2018. Considering the fact that petitioners No.2 and 3 are major as also petitioner No.1 Ramcharan Suryavanshi, it is directed that some part of the share of the claim amount may be given to the petitioners No.1, 2 and 3. Accordingly, it is directed that petitioner No.1 Ramcharan Suryavanshi may be given amount of Rs.75,000/- and petitioners No.2 & 3 namely Sanjay Suryavanshi and Ajay Kumar Suryavanshi may be given amount of Rs.50,000/- each out of the deposited amount of Rs.4,40,000/-. It is further clarified that in respect of petitioners No.4 & 5 namely Vijay Kumar Suryavanshi and Ku. Santoshi Suryavanshi their part of share in amount of Rs.4,40,000/- shall remain untouched and when final amount would be distributed petitioners No.1, 2 and 3 shall be entitled to receive their part of the share after deducting amount received by them by this order.

4. With such observation, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE