

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(227) No. 243 of 2018

1. Smt. Parwati Verma @ Deepa Verma Wd/o Late Deenbandhu Verma Aged About 28 Years.
2. Manish Verma S/o Late Deenbandhu Verma Aged About 9 Years.
3. Manoj Verma S/o Late Deenbandhu Verma Aged About 8 Years.
No.2 & 3 are minor, through natural guardian mother Smt. Parwati Verma.

All R/o Through Bhuwan Verma, G-23, Gomti Vihar, Amlidih, Raipur, Chhattisgarh

---- Petitioners

Versus

1. Sanjeet John S/o Late John Victor, R/o Imlibhatha, Behind Vrindavan School, Mahasamund, Tahsil And District Mahasamund, Chhattisgarh (Driver Of City Bus No. CG 04 E-3530)
2. Secretary, Karyalaya Sahari Sarwajanik Yatayat Society, Raipur, Chhattisgarh Address Collector Pariasr, Room No. 17 Raipur, Chhattisgarh
3. United India Insurance Company Limited Through Divisional Manager, Amar Complex Jeewan Bima Marg, Near Railway Crossing Pandri Raipur, Chhattisgarh (Insurer Of City Bus No. CG 04 E 3530)
4. Hariram Verma S/o Late Ghuraauram Verma Aged About 58 Years
5. Smt. Malti Verma W/o Hariram Verma Aged About 56 Years.
No.4 & 5 R/o Village Tendubhatha, Post Narayanpur, Tahsil Nawagarh, District Bemetara, Chhattisgarh

-- Respondents

For petitioners- Shri T.K. Jha, Advocate.

For respondent No.3- Shri Anand Kumar Gupta, Advocate appears on behalf of Shri Raj Awasthi, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order

21/03/2018

Heard.

1. Instant petition is against the order dated 20/02/2018 whereby an application to withdraw an amount of Rs.50,000/- from the account of minor sons Manish Verma and Manoj Verma has been rejected.
2. It is contended that in pursuant to original award an amount of Rs.2,40,000/- was deposited in the each account of the two minor children claimant and subsequently on enhancement of award further Rs.1,20,000/-

was further additionally deposited to their part of share. It is contended by the mother petitioner No.1 Smt. Parwati Verma that she has purchased a house for Rs.4,20,000/- and out of that Rs.3 lakhs has already been paid and prayer was made to allow her to withdraw Rs.50,000/- as premature payment from the account of the minor sons. It is stated that since interest of the minor sons are to be saved wherein the applicant would live as such the house is being purchased. It is stated that mother will stay alongwith the minor sons in the house so purchased. Consequently, Rs.50,000/- may be allowed to be withdrawn from the fixed deposit of minor sons namely Manish Verma and Manoj Verma.

3. Perused the documents filed alongwith the petition. Receipt and the agreement would show that petitioner No.1 Smt. Parwati Verma has purchased a house for Rs.4,20,000/-, out of which Rs.3 lakhs has been deposited. It is further stated that out of remaining amount of Rs.1,20,000/-, Rs.50,000/- would be paid in March and rest amount of Rs.70,000/- would be paid in installment of Rs.3000/-. Considering the fact that application has been filed by the mother in all reasonableness it is felt that demand so made by the mother appears to be genuine. It is directed that mother Smt. Parwati Verma may be allowed to withdraw Rs.50,000/- from the fixed deposit account of minor son namely Manish Verma. It is further observed that amount of withdrawal made from the account of Manish Verma has to be equally further be compensated by Manoj Verma when he attains majority. The observation has been made to cause minimum loss of interest to the beneficiaries as withdrawal from the both fixed deposit account might have caused much interest loss to the beneficiaries.

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

Sd/-

(Goutam Bhaduri)
JUDGE