

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(227) No. 347 of 2018

1. Lorik Yadav S/o Late Shri Lal Ji Yadav, Aged About 33 Years,
 2. Geeta Bai Yadav W/o Lorik Yadav, Aged About 30 Years
- Both R/o Village Parsada, Sirgitti, Sector B, PS Sirgitti, Teh And District Bilaspur Chhattisgarh.

---- Petitioners

Versus

1. Videshi Soni S/o Kanta Soni, Aged About 28 Years R/o Village Pakariya, PS Shivrinarayan, District Janjgir Champa (Chhattisgarh)
2. Parmeshwar Sahu S/o Raja Ram Sahu, R/o Hjardikala Tona, PO Hardi, Teh. And District Bilaspur Chhattisgarh
3. Branch Manager, The New India Insurance Company Ltd., Branch Office- 2nd Floor Rama Trade Center, Infront Of Rajeev Plaza, Bilaspur, Teh. And District Bilaspur Chhattisgarh
4. Branch Manager, The Oriental Bank Of Commerce, Collectorate Premises, Composite Building, Bilaspur Chhattisgarh.

---- Respondents

For petitioners –Ms. Nikita Agarwal, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order

17/04/2018

Heard.

1. Instant petition is against the order dated 9/04/2018 wherein application preferred by one of the applicants Lorik Yadav was dismissed whereby prayer was made to withdraw amount of compensation which was deposited on account of award dated 25/07/2016 passed in MACT No.630/2015.
2. It is been contended on behalf of the petitioners that they lost their child in motor accident as such compensation of Rs.2,29,500/- was awarded. It was further directed that 40% of the amount would be paid to the applicants as cash and 60% would be deposited in the nationalized bank for a period of 3 years. It is been stated that since marriage of the

daughter of the petitioner is to be performed, therefore fixed deposit amount of Rs.73,363/- which fallen to the share of petitioner No.1 Lorik Yadav may be allowed to be made premature withdrawal.

3. Perused the order dated 9/04/2018 and application which was filed by one of the applicant Lorik Yadav wherein it is stated that his part of the share of Rs.73,363/- which was directed to be deposited in the bank may be given to the applicant to perform marriage of his daughter which is fixed on 21/04/2018. Copy of the affidavit which was filed in the original petition is also enclosed. Considering the prayer as against the reason for withdrawal for marriage of daughter compensation which is deposited in the share of the petitioner No.1 Lorik Yadav, it is directed that petitioner No.1 Lorik Yadav shall be entitled to get amount of Rs.50,000/- out of the amount of Rs.73,363/- which was principal amount deposited as fixed deposit and rest of the amount shall be kept in fixed deposit again in the nationalized bank for a period of 3 years further.

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

Sd/-

(Goutam Bhaduri)

JUDGE