

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (227) No. 731 of 2018**

Pawan Kumar Chelak, son of Lakhan Lal Chelak, aged about 48 years, R/o Village Parsulidih, P.S. Abhanpur, District Raipur (C.G.)

----Petitioner/claimant

Versus

1. Aghanu Ram, Son of Bisahu Ram Sahu, aged about 26 years, R/o. Kachana, P.S. Bhakhara, District Dhamtari (C.G.)
2. Gulab Das, son of Narendra Das, aged about 50 years, R/o. Village Kosrangh, P.S. Kharora, District Raipur (C.G.)
3. Ifco Tokyo General Insurance Company Limited, Through : Divisional Manager, Office at Third Floor, Lal Ganga Shopping Mal, G.E. Road Raipur, District Raipur (C.G.)

---- Respondents.

For Petitioner : Shri C.R. Sahu, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

24/08/2018

(1) Learned counsel appearing for the petitioner submits that the Claims Tribunal is absolutely unjustified in rejecting application filed by the petitioner for disbursement of the amount under award ignoring the law laid down by the Supreme Court in the matter of **A.V. Padma & others Vs. R. Venugopal & others**¹ and decision of this Court in the matter of **Rajeshwari Singh Vs. Laxmi Prasad and others**².

(2) I have heard learned counsel appearing for the petitioner and perused the impugned award with utmost circumspection.

(3) The petitioner has made an application for disbursement of amount under award on the ground that he is in need of amount of Rs. 5,00,000/- for the marriage of his daughter, which has

¹ AIR 1994 SC 1631

² 2017 (1) C.G.L.J. 537

not been considered by the learned Claims Tribunal in its proper perspective in view of the law laid down by the Supreme Court and this Court in the aforesaid cases (supra).

(4) In view of above, impugned order is set aside. The matter is remitted to the Claims Tribunal for considering afresh the petitioner's application for disbursement of the amount under award in light of the aforesaid judgment of the Supreme Court and this Court and take a decision on the said application strictly in accordance with law within a period of two weeks from the date of receipt of certified copy of this order.

(5) Accordingly, the writ petition is allowed to the extent indicated hereinabove.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

