

HIGH COURT OF CHHATTISGARH, BILASPURWrit Petition (Art. 227) No.853 of 2018

1. Smt. Nirmala Sahu, W/o Shivkumar Sahu, aged about 50 years,
2. Shivkumar Sahu, S/o late Malikram Sahu, aged about 47 years, R/o Mohandi, Police Station & Tahsil Abhanpur, District Raipur (C.G.)
(Claimants)
---- Petitioners

Versus

1. Vishnu, S/o Dhruv Ram, aged about 42 years, R/o Dalli Rajhara, Kodekasa, Power House, District Balod (C.G.)
2. Sunil Kumar Jain, S/o Pukhraj Jain, aged about 47 years, R/o Vivekanand Nagar, Shailendra Nagar, Tahsil & District Raipur (C.G.)
3. National Insurance Company Limited, G.E. Road, Beside Central Post Office, Tahsil & District Raipur (C.G.)
(Non-applicants)
---- Respondents

For Petitioners: Mr. A.D. Kuldeep, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

04/10/2018

1. Heard on admission.
2. By the impugned order, the application of the claimants for disbursement of the compensation amount has been rejected holding that sufficient ground has not been assigned against which this writ petition has been filed.
3. After hearing learned counsel for the petitioners, I am satisfied that the Claims Tribunal has not considered the case in light of the decision rendered by this Court in the matter of **Rajeshwari Singh v. Laxmi Prasad and others**¹. The Claims Tribunal to consider the application of the claimants afresh and the petitioners / claimants are at liberty to

¹ 2017(1) C.G.L.J. 537

file documents and adduce evidence for releasing the said amount and that will be considered in accordance with law. The Claims Tribunal is directed to consider the said application afresh within two weeks from the date of receipt of a copy of this order.

4. A copy of this order be sent to the Claims Tribunal, Raipur by fax and e-mail also.
5. The writ petition is disposed of with the aforesaid observation. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge

Soma