

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (227) No. 904 of 2018**

Manoj Nishad, S/o Late Resham Lal Nishad; aged about 25 years; R/o- Kapu; Tahsil – Dharamjaigarh; District – Raigarh (C.G.); (Resham Lal & Meena Bai had Dead)

----Petitioner/Proposed Plaintiff

Versus

1. Ajay Tiwari, S/o- Bhayaram Tiwari; aged about -31 years;
2. Jereldina Toppo, W/o Pitar Toppo; aged about -36 years;
3. Ankit Toppo, S/o Pitar Toppo; aged about 19 years; 01,02, and 03 all R/o – Kapu; Tahsil – Dharamjaigarh; District Raigarh;
4. National Insurance Company Limited; Through : Branch Manager – National Insurance Company Limited, Bilaspur, Taha Complex, Vyapar Vihar Road, Bilaspur (C.G.)

---- Respondents/Plaintiff

For Petitioner : Shri Vineet Kumar Pandey, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

25/10/2018

(1) By the impugned order dated 30.08.2018, learned Tribunal has directed that an amount of Rs. 4,50,000/- be deposited in the fixed Deposit for a period of 10 years and remaining amount of Rs.86,403/- has been directed to be paid to the petitioner by account payee cheque, against which instant writ petition has been filed questioning the same.

(2) Learned counsel for the petitioner would submit that the amount in dispute could not have been directed to be deposited in the fixed deposit for a period of 10 years.

(3) Having heard learned counsel appearing for the petitioner, having regard to the facts and circumstances of the case, impugned order dated 30.08.2018 passed by the Tribunal is strictly in accordance with law, which does not call for any interference under Article 227 of the Constitution of India. However, the petitioner is at liberty to make an application for withdrawal of amount, if

the same is required for the valid purpose.

- (4) With the aforesaid observations, the writ petition stands finally disposed of.
- (5) Certified copy of the impugned order be sent to the Executing Court to do the needful.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-

