

The Hon'ble Sri Justice V.RAMASUBRAMANIAN

CIVIL REVISION PETITION No.302 OF 2018

Date:25.01.2018

Between:

Perasvalli Rama Kanaka Durga Prasad S/o. Butchaiah,
Hindu, 58 years, presently R/o. at 56-2-14, Flat No.302,
Amar Apartments, Near Canara Bank Street, Near Postal Colony,
Patamata, vijayawada, Krishana District.

...Petitioner

Vs.

Yarramsetty Venkata Satyanarayana Vara Prasad,
S/o. Venkateswara Rao, Hindu, aged 52 years, Driver of
Lorry AP 7V 3476, R/o. D.No. 1/ 146, Choudagamvari Street,
Chintaguntapalem, Machilipatnam.

... Respondent

Counsel for Petitioner : Sri T. Ravi Kumar

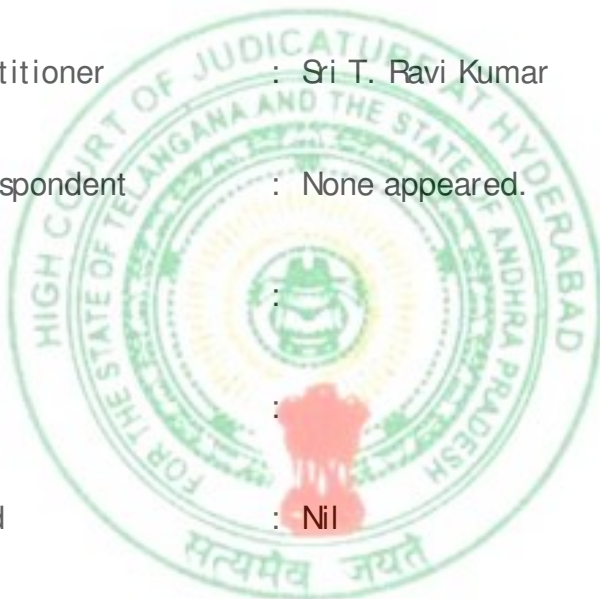
Counsel for Respondent : None appeared.

Gist :

Head Note :

Cases Referred :

Nil



HON' BLE SRI JUSTICE V. RAMASUBRAMANIAN

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ORDER:

Aggrieved by the dismissal of his petition for withdrawal of the balance amount now lying in deposit out of the compensation granted by the Motor Accidents Claims Tribunal, the petitioner has come up with the above revision petition.

2. Heard Mr. T. Ravi Kumar, learned counsel for the petitioner.

3. The compensation claim arose out of a motor accident in which the wife of the petitioner died. The Tribunal awarded a compensation and apportioned a sum of Rs.1,40,300/- to the petitioner. Out of the said share, he was originally permitted to withdraw Rs.70,200/-

4. When he filed an application for withdrawal of the balance amount of Rs.70,100/- with accrued interest, the trial Court dismissed the same on the ground that the petitioner has not come up with any justification for payment. But, it is seen that the motor accident claim petition was of the year 2000. Now a period of (17) years has passed. Therefore, the question of asking the petitioner for justification at this distance of time does not arise, unless and otherwise any Court has granted any stay of such disbursement.

5. In view of the above, the revision petition is disposed of, after dispensing with the notice to the respondents, permitting the petitioner to withdraw the balance amount lying to his share alone, from the Court below.

6. As a sequel thereto, miscellaneous petitions, if any, pending shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

January 25, 2018
KTL