

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR No.3273 of 2018
Date of decision: 16.05.2018

Tarun

... Petitioner

Versus

Kuldeep and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. JP Sharma, Advocate for the petitioner.

ARUN PALLI, J. (Oral)

The petitioner is aggrieved by an order dated 27.02.2018 (Annexure P2), vide which his application for releasing a sum of Rs.2,81,198/-, lying deposited with the Punjab National Bank Narnaul in an FDR, had since been declined.

Concededly, pursuant to an award dated 04.10.2017, the Motor Accident Claims Tribunal accepted the claim of the petitioner. And the petitioner, who is a minor and is five years of age, was awarded for a sum of Rs.7,05,789/- by way of compensation along with interest @ 7.5% per annum. However, a sum of Rs.5,00,000/- was ordered to be disbursed out of the awarded amount to the father of the petitioner for he incurred expenses on the treatment of his minor child, but the remaining amount was ordered to be deposited in the name of the minor in an FDR till he attained the age of majority. As the application for withdrawal of the said amount has been rejected vide impugned order, the petitioner is before this Court.

Concededly, the appeal i.e. FAO No.2408 of 2018, preferred by the petitioner for enhancement of compensation, has since been dismissed by this Court, vide order and judgment dated 03.05.2018. On being pointedly asked, learned counsel for the petitioner could not show any cogent reason or compelling circumstance, owing to which the amount lying deposited in the bank, could be released. In any event, a sufficient amount had already been released to the father of the petitioner to meet out the expenses incurred during his treatment. Further, if there indeed was any such necessity, appropriate prayer could be made in the appeal filed for enhancement.

Thus, no ground is made out to interfere in exercise of revisional jurisdiction under Article 227 of the Constitution of India. The petition is accordingly dismissed.

(Arun Palli)
Judge

16.05.2018
Rajan

Whether speaking / reasoned:	YES
Whether Reportable:	NO