

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

**CR No.4686 of 2017
Date of Decision : 10.05.2018**

Biro Devi and another

.....Petitioners

Versus

Oriental Bank of Commerce

..... Respondent

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr.Naresh Kaushik, Advocate for the petitioners.

ARUN PALLI, J. (Oral)

The petitioners are in revision, under Article 227 of the Constitution of India, before this Court, requiring the respondents bank to release all the FDRs of the petitioners bearing account No.TDR/UFPL/B 0440805 dated 30.05.2017 for Rs.3,17,726/- and FDR No.TDR/UFPL/B 0440806 dated 30.05.2017 Rs.3,17,727/- along with interest up to the date in the name of the petitioners.

The petitioners lost their son in a motor accident. Vide award dated 16.02.2017 (Annexure P-1), the Motor Accident Claims Tribunal accepted their claim petition and awarded a sum of Rs.8,05,400/- to the petitioners as compensation along with interest. It is urged that the said award has since attained finality. The limited grievance that the petitioners have is that Tribunal in paragraph 43 of it's award had observed that claimants shall only be released 25% of the amount and the balance compensation was required to be deposited in a

nationalized bank by way of FDRs for a period of three years. It is urged that the petitioners are in the advanced age of their lives and are suffering from multiple health issues and, therefore, need funds for their treatment and to meet other necessary expenses.

That being so, the petition is disposed of with a liberty to the petitioners to move an appropriate application in this regard to the executing Court, which shall be considered and decided, within four weeks from the date any such application is moved. Of Course, the executing Court shall examine the said application on merits and pass appropriate orders, notwithstanding the observations recorded by the Tribunal in paragraph 43 of it's award.

10.05.2018

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No