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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ MAC.APP. 825/2017

**7** RELIANCE GENERAL INSURANCE CO LTD ..... Appellant
Through: None.

versus

RAJEEV KUMAR & ORS ..... Respondents
Through: Mr. Ram Raghvendra Kumar, Adv.

\+ MAC.APP. 1032/2017 & CM No.25673/2018

**8** RAJEEV KUMAR ..... Appellant
Through: Mr. Ram Raghvendra Kumar, Adv.

versus

RELIANCE GENERAL INSURANCE
CO LTD & ORS ......Respondents
Through: None.

**CORAM:**
**HON'BLE MR. JUSTICE J.R. MIDHA**

**O R D E R**
**% 02.07.2018**

**CM No.25673/2018 in MAC.APP.1032/2017**

1. The claimant Rajeev Kumar is present in Court along with his counsel. He has produced the passbook of his savings bank account No.35668810610 with State Bank of India, Sector-24, Rohini Branch along with the endorsement that no cheque book/ATM card has been issued to the claimant. The photocopy of the passbook is taken on record.

2. As per the status report sent by the Claims Tribunal, Rs.1,46,644/- is lying in FDR No.37241392839 with State Bank of India, Rohini Courts

Branch and sum of Rs.23,68,800/- is lying in FDR No.37241392635. The maturity dates of both the FDRs is 17th October, 2018.

3. State Bank of India is directed to pre-maturely discharge the FDR No.37241392839 for Rs.1,46,644/- and transfer the maturity amount to savings bank account No.35668810610 with State Bank of India, Sector-24, Rohini Branch.

4. With respect to the second FDR No. 37241392635 of Rs.23,68,800/-, the FDR is maturing on 17th October, 2018 and the maturity amount is of Rs.25,26,566/-. State Bank of India is directed to continue the FDR till 17th October, 2018. On maturity of the FDR, the State Bank of India is directed to disburse the maturity amount in the following manner:-

(i) Rs.24,00,000/- be kept in 120 FDRs of Rs.20,000/- each in the name of Rajeev Kumar for the period 1 month to 120 months respectively with cumulative interest and the balance amount be transferred to the savings bank account of the claimant.

(ii) All the original FDRs shall remain with State Bank of India, Rohini Courts Branch. However, the statement containing FDR number, amount, date of maturity and maturity amount shall be furnished by State Bank of India to the claimant, Rajeev Kumar.

(iii) The maturity amounts of the FDRs be transferred to the claimant, Rajeev Kumar in his savings bank account mentioned above in para-1 above.

(iv) No loan or advance or pre-mature discharge shall be permitted without the permission of this Court.

(v) State Bank of India, Rohini Branch shall permit the claimant Rajeev Kumar to withdraw money from his savings bank account by means of a withdrawal form.

5. Learned counsel for the claimant, Rajeev Kumar Submits that Rajeev

Kumar requires further treatment and surgery in respect of 75% permanent disability suffered by him due to *Hemi Paresis* i.e. one side half paralysis in relation to his left leg as per the disability certificate. It is further submitted that the appellant is not working due to 75% permanent disability and he falls in the Below Poverty Line (BPL) category.

6. Government of NCT of Delhi shall consider the claimant's case for further treatment in a private hospital under 40% category for treatment of BPL category. The petitioner shall furnish the complete set of his medical record and documents relating to the petitioner's entitlement as a BPL case to Mr. Rahul Mehra, learned Senior Standing Counsel for GNCTD within 10 days from today. Mr. Rahul Mehra, learned Senior Standing Counsel for GNCTD is directed to take up the matter with Government of NCT of Delhi for the treatment of the claimant.

7. CM No.25673/2018 is disposed of.

8. This appeal has already been disposed of on 29th May, 2018 and need not be listed again.

9. Copy of this order be given *dasti* to learned counsels for the parties under signature of Court Master.

**J.R. MIDHA, J.**

**JULY 02, 2018**
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