

HIGH COURT OF CHHATTISGARH AT BILASPUR**WP227 No. 207 of 2019**

1. Smt. Kunti Bai, W/o Late Rajkumar, aged about 40 years.
2. Ku. Laxmmi D/o Late Rajkumar, aged about 14 years.
3. Sanjay Kumar, S/o Late Rajkumar, aged about 12 years.
4. Ku. Heena, D/o Late Rajkumar, aged about 01 month.
5. Smt. Suthra Devi, W/o Ram Singh, aged about 65 years.

Appellants No. 2 to 4 are minor through legal guardian mother Smt. Kunti Bai.

All are resident of village Milpara, Utai, Police Station Utai, District Durg, Chhattisgarh.

---Petitioners

Versus

1. Dinesh Kumar, S/o Manaklal Baksare, R/o Krishna Chowk, P.S. Nevai, District Durg, Chhattisgarh.
2. Khomlal, S/o Milapram, aged about 30 years, R/o Bajrangpara, house No. 29, Ward No. 62, Station Maroda, Police Station Nevai, District Durg, Chhattisgarh.
3. United India Insurance Company Limited, through the Divisional Manger, Divisional Office – Tara Complex, G.E. Road, Power House Bhilai, District Durg, Chhattisgarh.

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For Petitioners	:	Mr. Avinash Chand Sahu, Advocate
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Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

15/03/2019

1. By the impugned order dated 06/07/2018 passed in MAC No. 73/2013, the application filed by the petitioner No. 1 i.e. Mother for disbursement of the amount which has been deposited in account of

her daughter i.e. petitioner No. 2, on account of her death, has been rejected by the learned claims Tribunal Durg, against which this writ petition has been preferred by the petitioner.

2. Learned counsel for the petitioners submits that petitioner No 1 i.e. Kunti Bai made an application for disbursement of the amount in the name of her daughter Laxmmi i.e. petitioner No. 2 after her death but the learned claims Tribunal Durg has only directed that the amount be deposited in Fixed Deposit and has not considered her application for disbursement and has not passed reasoned and speaking order which is bad and unsustainable in law.
3. I have heard learned counsel for the petitioners on the question of admission of writ petition, considered his submissions and went through the records with utmost circumspection.
4. Be that as it may, learned claims Tribunal Durg is directed to consider the petitioner's application afresh and pass suitable order as to whether Kunti Bai is entitled to get the amount disbursed in her favour or not within 30 days from the date of receipt of a copy of this order by reasoned and speaking order.
5. With the aforesaid direction, this writ petition stands disposed off.
6. A copy of this order be sent to the learned claims Tribunal Durg by e-mail/fax. No cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge