

HIGH COURT OF CHHATTISGARH AT BILASPUR**WP227 No. 749 of 2019**

1. Sudipta Shaha Wd/o Late Manik Shaha, Aged about 25 years.
2. Bapi Shaha, Son of Late Manik Shaha, Aged about 6 years.
3. Ku. Mampi Shaha @ Anamika, aged about 4 years, D/o Late Shri Manik Shaha.

Petitioners No. 2 and 3 are minor through legal natural guardian mother Sudipta Shaha

4. Nandrani Shaha, Aged about 60 years, W/o Late Shri Shambunath Shaha, Resident of Village Mukund Tota, Birnagar, Post Palgachhi, District Malda, West Bengal.

---Petitioners/Claimants

Versus

1. Jeetu Markan, Son of Indal Markan (Truck Driver), Resident of RTO Office house No. 26, Rawabhata, Tahsil and District Raipur, Chhattisgarh.
2. Satish Sharma, Son of Shri Suresh Sharma, (Truck Owner), Resident of Sadar Bazar, Raipur, Chhattisgarh.
3. New India Insurance Company Ltd. Through Divisional Manager Mandia Building Jail Road, Raipur, Chhattisgarh, Insurer of Truck Bearing Registration No. 04 G 6183.

---- Respondents

For Petitioners : Mr. A.D. Kuldeep, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

03/10/2019

1. Heard on admission.
2. Mr. A.D. Kuldeep, learned counsel for the petitioners would submit that learned Motor Accidents Claims Tribunal has declined to

disburse the amount deposited in the name of petitioner No. 2 herein namely Bapi Shaha on unsustainable ground holding that he is still a minor and the amount has to be disbursed to him after attaining the age of majority.

3. I have heard learned counsel for the petitioner at length.
4. The reason assigned by the Claims Tribunal for rejecting petitioners' application and thereby declining to disburse the amount deposited in the name of petitioner No. 2 is just and proper as he is a minor at present and does not warrant any interference under Article 227 of the Constitution of India. However, this will not bar the petitioner No. 2 to file afresh application at appropriate time.
5. The writ petition, being devoid of merits, deserves to be and is accordingly dismissed. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge

Harneet