

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(227) No. 849 of 2019

1. Smt. Rukmani Patel, W/o. Late Dev Kumar Patel, Aged About 26 Years,
2. Priyansh, S/o. Late Dev Kumar Patel, Aged About 8 Years
3. Priyanka, D/o. Late Dev Kumar Patel, Aged About 6 Years

No.2 and 3 are Minor, Represented Through mother and legal guardian Smt. Rukmani Patel

All are R/o. Village Hathitikra, Post Office Banari, District Janjgir-Champa, Chhattisgarh.

---- Petitioners

Versus

1. Ajay Singh Chandel, S/o. Late Terasram Chandel, Aged About 35 Years, R/o. Birgahni, Police Station Janjgir, District Janjgir-Champa, Chhattisgarh.
2. Priyansh Agrawal, S/o. Gajanand Agrawal, Aged About 21 Years, R/o. Shyam Steel, Station Road, Naila, District Janjgir-Champa, Chhattisgarh.
3. The Branch Manager, National Insurance Company, Limited, 13 Meenu Complex, Main Road Kosabadi, Korba, District Korba, Chhattisgarh.

-----Respondents

For Petitioners

: Mr. Guru Prasad Kurre, Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

19/11/2019

1. This petition has been brought being aggrieved with the order dated 31.07.2019, passed by the learned Motor Accidents Claims Tribunal, Janjgir-Champa by which the whole amount which the petitioners received in enhancement vide award dated 09.03.2019 in M.A.(C)

No.1237 of 2017, passed in National Lok Adalat, High Court of Chhattisgarh is ordered to be deposited in the Bank as fixed deposit.

2. The petitioners have prayed for release of all the amount in enhancement in their favour, which was not at all considered and arbitrary order was passed that all the amount shall be deposited in the Bank as fixed deposit. Hence, this petition.
3. Considering that the petitioners have liberty to move an application for release of the amount deposited in fixed deposit on raising grounds of necessity, therefore, the petitioners are directed to file an application before the learned Motor Accidents Claims Tribunal and the learned Motor Accidents Claims Tribunal is also directed to consider on the application in accordance with law.
4. Accordingly, the petition is disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge