

High Court for the State of Telangana

**THE HON'BLE THE CHIEF JUSTICE
SRI RAGHVENDRA SINGH CHAUHAN
AND
THE HON'BLE DR. JUSTICE SHAMEEM AKTHER**

W.A.No.1475 of 2016

Date: 19.08.2019

Between:

Mulukutla Pochaiah and another

...Appellants

and

The Union of India,
Rep. by the Project Director, Sarvashiksha Abiyan
For the State of Telangana,
Near Lal Bahadur Stadium,
At Hyderabad and six others

...Respondents

Counsel for the appellants: Mr. S.Chandrasekhar

Counsel for the respondent
Nos.1, 3 & 4:

Government Pleader for Education

Counsel for the respondent No.2: Mr.Bhaskar Gorla

Counsel for the respondent No.5: Mr.N.Bhupal Reddy

Counsel for the respondent Nos.6: GP for Home

The Court made the following:

JUDGMENT: *(Per the Hon'ble the Chief Justice Sri Justice Raghvendra Singh Chauhan)*

The appellants, writ petitioners, are aggrieved by the order dated 27.09.2016, passed by the learned Single Judge, in W.P.No.8595 of 2007, whereby, while granting a compensation of Rs.8 lakhs to each of the writ petitioners, the learned Single Judge had imposed certain conditions. The appellants are aggrieved by the particular conditions imposed by the learned Single Judge, namely, that the amount should be deposited in a nationalised bank for a period of ten years.

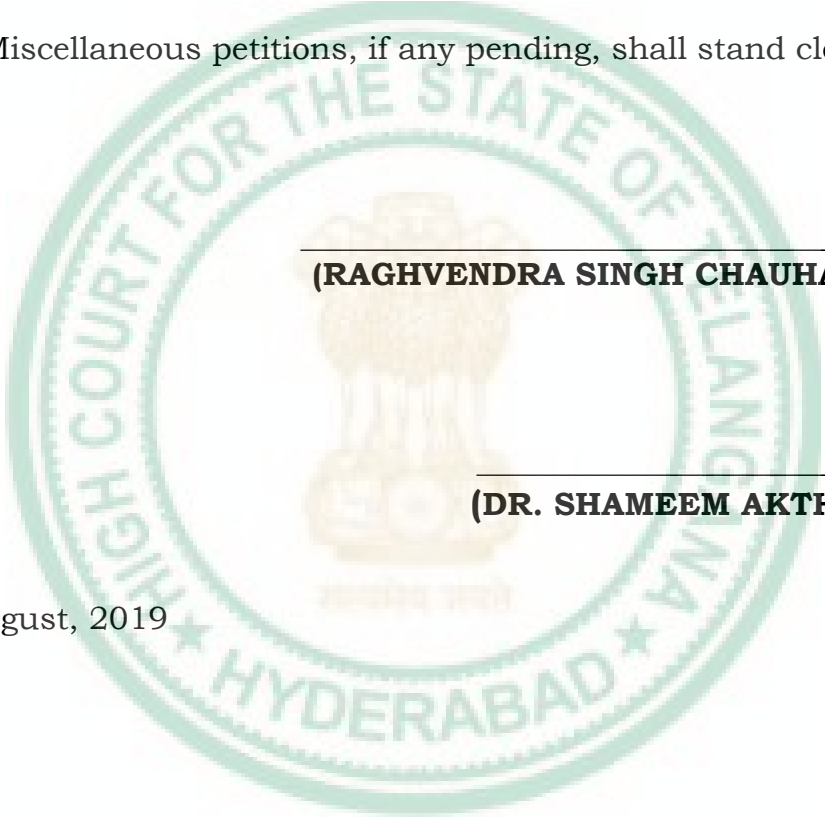
2. The learned counsel for the appellants submits that the appellants are old age persons, who are facing health problems. Moreover, they have already discharged their family obligations of getting their daughters married. Even for the purpose of marriage, they had to borrow money from other persons. Therefore, the said amount needs to be paid to the creditors of the appellants. Moreover, the appellants are engaged as daily wage labour. Furthermore, the appellants are unable to cultivate the dry lands assigned to them by the Government. Lastly, that their sons are no longer supporting them financially. Therefore, the appellants are facing grave financial crisis. Hence, according to the learned counsel for the appellants, it will be in the interest of justice to permit the appellants, and their daughters to withdraw the amount deposited with the State Bank of Hyderabad, Asifabad Branch, Komarambheem District.

3. The appellants have given cogent reasons as to why they would require the money deposited with the bank. Moreover, since the money has been granted to them by the learned Single Judge

by way of compensation, they certainly have a right over the money. Considering the pitiable financial condition, this Court modifies the order dated 27.09.2016 and permits the appellants to withdraw the amount deposited with the aforesaid Bank. The concerned Bank is directed to disburse the amount to the appellants and to their daughters after verifying their identity.

4. The writ appeal is accordingly disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any pending, shall stand closed.



(RAGHVENDRA SINGH CHAUHAN, CJ)

(DR. SHAMEEM AKTHER, J)

19th August, 2019

Lrkm