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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CR No.8072 of 2018 (O&M)

Date of Decision: January 16, 2019

Sheela Devi and another

..... Petitioners

Versus

Gulab Kumar and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Sanjiv Gupta, Advocate
for the petitioners.

None for respondent No.3.

SUDIP AHLUWALIA J. (ORAL)

CM No.25810-CII of 2018

Allowed as prayed for.

CR No.8072 of 2018

Seen office report.

None appears on behalf of respondent No.3 inspite of service.

Ld. counsel for the petitioners/claimants draws attention of the Court to the order passed by a Co-ordinate Bench of this Court in **FAO No.2950 of 2017** titled as “National Insurance Company Ltd. vs. Sheela Devi and others” filed on behalf of respondent No.3 in which in view of the submission made on behalf of the appellant, notice was ordered to be issued only to the owner and driver of the offending vehicle

being respondents No.2 and 3 in the said petition, and not to the claimants/petitioners.

In this view of the matter, imposition of any security conditions by the Ld. Executing Court against the petitioners/claimants in whose favour the award was passed is certainly uncalled for since their entitlement is not disputed on behalf of the Insurer-Judgment Debtor i.e. respondent No.3.

For this reason, the impugned order dated 31.07.2018 is set aside and the Ld. Executing Court is directed to do the needful for delivering the decretal amount deposited on behalf of respondent No.3 to the petitioners/claimants as early as possible.

Present revision stands disposed off.

January 16, 2019
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(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No