

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 727 of 2019

Date of Decision: 06.03.2019

Surinder Singh

.....Petitioner

Vs.

Motor Accident Claims Tribunal, Yamuna Nagar and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Inderjeet Singh, Advocate,
for the petitioner.

Mr. Suvir Dewan, Advocate,
for respondent no. 4-insurance company.

AMOL RATTAN SINGH, J. (ORAL)

On 01.03.2019, the following order had been passed:-

“By this petition, the petitioner challenges the order of the learned Motor Accident Claims Tribunal, Yamuna Nagar, dated 18.12.2018, by which the application filed by the petitioner seeking encashment of the amount of compensation awarded to him, as was deposited in a fixed deposit, has been allowed only partially, with Rs.2 lakhs ordered to be disbursed to him but as regards the remaining out of the total amount of Rs.10,66,047/-, that not having been allowed to be so disbursed, and therefore it continuing to remain deposited in a fixed deposit.

Notice was issued in this petition only for the reason that this Court was apprehensive as to whether the Award of the Tribunal dated 16.10.2002 (passed in MACT No.94 of 2001) and the judgment of this Court dated

19.09.2018, passed in FAO No.744 of 2003, enhancing the compensation awarded to the petitioner, had been reversed or modified by the Supreme Court or not.

Mr. Dewan, learned counsel appearing for the respondent insurance company, seeks time to verify the above, though obviously the money has already been deposited in the account of the petitioner (and therefore standing disbursed to his account). Yet, Mr. Dewan would seek instructions as to whether any SLP has been filed by the insurance company against the aforesaid judgment of this Court.

Adjourned to 06.03.2019.

To be shown in the urgent list.”

Today, Mr. Dewan, learned counsel for the insurance company, submits that he has verified that no Special Leave Petition/appeal has been filed by the respondent insurance company against the judgment of this Court dated 19.09.2018, passed in FAO No. 744 of 2003.

That being so, this petition is allowed with the Motor Accidents Claims Tribunal, Yamuna Nagar (at Jagadhri), directed to get the remaining amount of compensation as was awarded to the petitioner in MACT case no. 94 of 2001 and FAO No. 744 of 2003, release to him immediately, the petitioner not being a minor and in fact shown to be 58 years of age in the memo of parties and therefore, being completely at liberty to utilize money awarded to him by legal process, in any manner that he pleases to.

March 06, 2019
nitin/dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
Yes