

Civil Revision No. 1488 of 2019 (O&M)

Date of decision : July 10, 2019

Yashwant Singh Rawat

.....Petitioner

Versus

Anil Kumar and others

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Ms. Janya Sirohi, Advocate for
Mr. Akshay Jindal, Advocate
for the petitioner.

Mr. S.K.Tripathi, Advocate
for respondents No.1 and 2.

Mr. Rajan Raghava, Advocate for
Mr. Vishal Aggarwal, Advocate
for respondent No.3.

LISA GILL, J.

Present revision petition has been filed for setting aside order dated 17.12.2018 passed by the learned Executing court whereby a condition has been imposed upon the claimant that he has to furnish bank security towards the payment voucher of the awarded compensation as per award dated 05.09.2017 passed by the learned Motor Accident Claim Tribunal, Gurugram.

Learned Tribunal has awarded a sum of ₹26,29,000/- as compensation to the claimant/petitioner. FAO No.7199 of 2017 has been filed by the Insurance company in which notice of motion has been issued on two counts, i.e. award of attendant charges and recovery rights. FAO No.495 of 2018 has been filed by the claimant. Admittedly, there is no interim order in FAO No.7199 of 2017.

It is submitted by learned counsel that respondent-Insurance company as well as respondents No.1 and 2 have no objection in case the awarded compensation, less ₹4,20,000/- awarded towards the attendant charges, is released to the claimant without furnishing bank security as directed by the learned Motor Accident Claims Tribunal, Gurugram vide impugned order dated 17.12.2018.

Keeping in view the specific stand of the parties, this petition is disposed of with the modification in the impugned order 17.12.2018 to the extent that the awarded amount, less ₹4,20,000/- inclusive of the interest component thereon, be released to the claimant without furnishing of bank security etc.

July 10, 2019
rts

(Lisa Gill)
Judge

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No