IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No.2031 of 2019 (O&M)
Decided on:08.04.2019

Jagjeet Singh and another .....Appellants

versus

Union of India ....Respondent

CORAM : HON'BLE MR.JUSTICE DR.RAVI RANJAN

Present: Mr.Somesh Gupta, Advocate,
for the appellants.

Mr.Karminder Singh, Advocate,
for the respondent-UOI.

DR.RAVI RANJAN, J. (Oral)

CM-6216-CII-2019

This application has been filed seeking condonation of delay of 18 days which has occurred in filing the appeal.

Heard learned counsel for the appellants and the respondent.

For the reasons mentioned in the application it appears that appellants were prevented by sufficient cause in preferring this appeal in time. In the result, this application is allowed and the delay of 18 days in preferring the appeal is hereby condoned.

FAO No.2031 of 2019

I have heard the learned counsel for the appellants and the respondent.

This appeal has been preferred by the claimants/appellants against the Award dated 19.11.2018 passed in Case No.OA-II/246/2017 by the Railway Claims Tribunal, Chandigarh Bench, Chandigarh, who happen to be the parents of the deceased Laxmi who died in a railway untoward incident and the claimants have been held entitled for compensation amount of Rs.8 Lakhs alongwith interest, on limited ground that 50% of the amount has been directed by the Tribunal to be kept in a fixed deposit for a period of three years and only 50% of the amount was allowed directly to be paid to the parents in their bank account.

It is contended that there is no reason as to why 50% of the compensation amount has been kept in fixed deposit, as the parents are aged 48 and 44 years respectively. None of the claimants is minor.

Accordingly, in my considered opinion there is no reason for keeping 50% of the awarded amount of compensation in a fixed deposit rather the entire amount should have been paid to them in their respective bank accounts.

Accordingly, this appeal to the aforesaid extent is allowed and the respondents are directed to release the remaining 50% of the awarded compensation amount, i.e. Rs.2 Lakhs to each claimants in their respective bank accounts directly within a period of two months.

If the investment has already been made in the FDRs any Nationalised Bank, then the Bank, on the request of the claimants made alongwith the copy of this order, would release the amount in the respective bank accounts of the claimants alongwith interest earned over the FDR.

In the result, this appeal is allowed as indicated above.

(DR. RAVI RANJAN)
JUDGE

April 08, 2019
dharamvir

Whether speaking/reasoned	Yes
Whether Reportable	No