

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

FAO No.2032 of 2019 (O&M)
Decided on:08.04.2019

Kashiram and anotherAppellants

versus

Union of IndiaRespondent

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-6218-CII-2019

This application has been filed seeking condonation of delay of 24 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 24 days in preferring the appeal is hereby condoned.

FAO No.2032 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 13.11.2018 passed in Case No.OA-IIU/CDG/2017/123 by the Railway Claims Tribunal, Chandigarh Bench, Chandigarh, who happen to be the parents of the deceased Vikram Kumar 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 only a sum of Rs.1 Lakh each alongwith proportionate interest accrued thereon, was allowed directly to be paid to the parents in their bank account and the left over compensation amount *qua* their share, i.e. Rs.3 Lakhs each of the amount alongwith proportionate interest, has been directed by the Tribunal to be kept invested in fixed deposit of any Nationalised Bank for a period of three years and

It is contended that there is no reason as to why Rs.3 Lakhs each of the compensation amount could be ordered to be kept in fixed deposit, as they are the parents, i.e. father and mother of the deceased, being 44 and 39 years of age, respectively, and none of the claimants is minor.

In my considered opinion also there is no reason for keeping Rs.3 Lakhs each of the awarded amount of compensation in a fixed deposit rather the entire amount should have been paid to them in their respective bank account.

Accordingly, this appeal to the aforesaid extent is allowed and the respondents are directed to release the remaining amount of the awarded compensation amount, i.e. Rs.3 Lakhs to each claimants alongwith interest allowed, in their bank account directly within a period of two months.

If the investment has already been made in the FDRs in any Nationalised Bank, then the Bank, on the request of the claimants made

alongwith the copy of this order, would release the amount in their respective bank accounts of the claimants alongwith interest earned.

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

April 08, 2019

dharamvir

(DR. RAVI RANJAN)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No