

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No. 38 of 2020

1. Smt. Kuleshwari Bai, W/o Amar Singh, Aged About 56 Years, House Wife, R/o Sanjay Nagar Raipur, Tehsil and District-Raipur, Chhattisgarh....Claimant.
2. Amar Singh, S/o Sarahu Uadav, Aged About 61 Years, R/o Sanjay Nagar Raipur, Tehsil and District-Raipur Chhattisgarh.....Claimant.

---- Petitioners

Versus

1. Singh Pal Singh, S/o Mukhtiyar Singh, R/o Lodhi Para, Pandari, Raipur Chhattisgarh.
2. The New India Insurance Company Ltd., Branch Office, Bajrang Market, Through Divisional Manager, Divisional Office, Kutchherei Chowk, Jai Road, Raipur, Chhattisgarh 492001.

---- Respondents

For petitioner	:	Mr. Akhilesh Mishra, Advocate.
For respondents	:	None.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

23/01/2020

1. This petition has been brought being aggrieved by the order dated 2.9.2019 (Annexure P-1) passed by the learned First Additional Motor Accidents Claims Tribunal, Raipur (for short 'MACT'), by which the application filed by the petitioners for premature release of the amount in fixed deposit has been rejected.
2. The petitioners were awarded compensation in Claim Case No.126/2002 vide award dated 10.3.2003 which was further enhanced by this Court vide order dated 15.7.2016 passed in M.A. No.618/2003 and the enhanced amount of Rs.2,55,120/- was made payable to the mother of the deceased i.e. petitioner No.1 with a condition that she will get only Rs.1 lakh cash and rest of the amount shall remain in fixed

deposit for a period of 5 years.

3. On perusal of the impugned order, it is found that various grounds have been mentioned for release of the amount, however, there is no documents or material in support thereof. Therefore, without passing any order on merits, this petition is disposed off with liberty to the petitioners to file repeat application before the learned MACT along with documents in support of their claim for premature release of the amount in fixed deposit.
4. Accordingly, the petition is disposed off.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha