

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No. 1015 of 2019

1. Saraswati W/o Late Dhansai Aged About 23 Years By Caste - Satnami, R/o Village Khujha, Police Station and Tahsil Mungeli, District - Mungeli Chhattisgarh.
2. Parwati D/o Late Dhansai Aged About 5 Years By Caste - Satnami, R/o Village Khujha, Police Station and Tahsil Mungeli, District - Mungeli Chhattisgarh.
3. Kalyan S/o Late Dhansai Aged About 3 Years By Caste - Satnami, R/o Village Khujha, Police Station and Tahsil Mungeli, District-Mungeli, Chhattisgarh.
4. Sandhya D/o Late Dhansai, Aged About 5 Months , Petitioner No. 2 To 4 Are Minors And Legal Representative Through Mother Namely Sarswati W/o Late Dhansai, R/o Village Khujha, Police Station and Tahsil Mungeli, District - Mungeli Chhattisgarh.
5. Munjan W/o Bhagbali, Aged About 60 Years By Caste Satnami, R/o Village Khujha, Police Station and Tahsil Mungeli, District-Mungeli, Chhattisgarh.

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Versus

1. Mantosh Gendle, S/o Ramesh Gendle, Aged About 28 Years R/o Vinoba Nagar, City Kotwali, Mungeli, Tahsil And District - Mungeli, Tahsil And District - Mungeli Chhattisgarh. (Driver Of Alleged Vehicle Bus Bearing Registration No. C G - 10 G - 0323).
2. Harikapoor Singh S/o Ramji Singh Aged About 45 Years R/o Shishak Nagar, Mungeli, Tahsil and District – Mungeli, Chhattisgarh. (Owner Of Alleged Vehicle Bus Bearing Registration No. C G - 10 G – 0323).
3. Chola Mandlam Insurence Company Ltd., 1st Floor Rajiv Plaza, Bilaspur, Chhattisgarh.

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For petitioner	:	Mr. C.K. Sahu, Advocate.
For respondent	:	None.

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

21/01/2020

1. Heard.
2. This petition has been brought being aggrieved by the order dated 4.12.2019 (Annexure P-1) passed by the learned Motor Accident Claims Tribunal, District-Mungeli (for short 'MACT') rejecting the application filed by applicants for out of turn disbursal of the compensation amount kept in the fixed deposit scheme of the bank.
3. Petitioners are appellant in MAC Case No.46/2014, who have been awarded compensation vide award dated 28.9.2017 and out of which, certain amount has been deposited in the fixed deposit scheme of a nationalized bank in the name of the petitioners.
4. It is submitted that the applicants made a prayer before the MACT for out of turn release of the amount kept in a fixed deposit on the ground that son of petitioner No.5 is suffering from Cancer disease, which was turned down on the ground that not a single document has been produced in support of the prayer so made.
5. Along with this petition, the petitioners have filed documents showing that son of the petitioner No.5 is suffering from the Cancer disease.
6. There appears no reason to interfere with the impugned order passed by the MACT refusing to disburse the award amount in deposit in favour of petitioners. However, in the given facts and circumstances of the case, liberty is granted to the petitioners to file fresh application supported with relevant documents before the MACT for out of turn disbursal of award amount in deposit. On filing such application, the MACT is directed to consider and decide the same expeditiously in

accordance with law.

7. The petition is accordingly disposed off.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha