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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-895-2020 (O&M)
Date of decision : 07.02.2020

Babita and others

... Petitioners

Versus

Union of India

... Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Subhash C. Sachdeva, Advocate
for the petitioners.

ALKA SARIN, J. (ORAL)

The present revision petition has been filed on a very limited ground, that is, for modification of the order dated 05.07.2019 passed by the Railway Claims Tribunal, Chandigarh in OA-IIu/CDG/2018/42, vide which only 20% of the awarded amount has been ordered to be disbursed to the petitioners and the rest of the amount is directed to be invested in a bank deposit.

The claimants before the Tribunal were the wife, son, daughter and mother of the deceased Naresh Kumar. Learned counsel for the petitioners has contended that both the son and daughter are major and, being adults, they require the amounts for their day-to-day needs. It is further submitted that there cannot be any conceivable reason to deny the release of the amounts to the adult members. Learned counsel has placed reliance on decisions rendered by this Court in similar controversies in the case of *Mina Devi and others vs. Union of India, Civil Revision No.3645*

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of 2019, decided on 31.05.2019 and in **Rani and others V/s Union of India**,
CR No.243 of 2020, decided on 15.01.2020.

In view of the nature of controversy, there is no necessity to issue notice of motion to the respondent, as the same would further delay the matter. I find that the claimants are all adults and no reason whatsoever has been given by the Tribunal for permitting withdrawal of only 20% of the awarded compensation while finally deciding the claim petition. That being so, there was no ground for the Tribunal to have given such a direction.

In view of the above, I accept the revision petition and the impugned order dated 05.07.2019 passed by the Railway Claims Tribunal, Chandigarh, to the above-mentioned extent, is modified. The petitioners would be entitled to get the entire amount of compensation awarded released in their favour by approaching the concerned Tribunal.

07.02.2020
Yogesh Sharma

(ALKA SARIN)
JUDGE

Whether speaking/reasoned	Yes/ No
Whether Reportable	Yes/ No