

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-13200-2020

Date of Decision:-02.09.2020.

Manpreet Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Roopak Bansal, Advocate for the petitioner.

Mr. Navdeep Chhabra, DAG, Punjab.

SANJAY KUMAR, J. (Oral)

The petitioner is aggrieved by the inaction of the respondents in releasing the insurance amount due to him in relation to the Award dated 12.11.2003 passed by the Motor Accident Claims Tribunal, Roopnagar, as modified by this Court, *vide* order dated 19.12.2019 in **FAO-2842-2004**.

The petitioner met with an accident on 10.04.2001 and approached the Tribunal for award of compensation. This exercise culminated in the order dated 19.12.2019 passed by this Court in **FAO-2842-2004**. Pursuant thereto, the petitioner initiated execution proceedings in Execution No.80 of 2020. His grievance, presently, is that though the insurance company deposited the sum of ₹ 12,19,788/- before the executing Court, the said amount is not being released.

Mr. Navdeep Chhabra, learned Deputy Advocate General, Punjab, would inform this Court that it is only after issuance of a refund

voucher by the Court that the Treasury would have a role to play in the release of the amount, which is deposited in the Court's bank account.

Mr. Roopak Bansal, learned counsel for the petitioner, would concede that the refund voucher is yet to be issued by the executing Court at Roopnagar and that the application filed by the petitioner in that regard is still pending consideration. It is for the petitioner to appear before the executing Court and take steps for the speedy disposal of the application and the consequential issuance of a refund voucher. Admittedly, the petitioner failed to appear before the executing Court on the last date of hearing in the execution proceedings and the matter has been adjourned. The petitioner shall therefore ensure that this lapse does not occur in future and take suitable steps as and when the matter is taken up for hearing. The District Treasury Officer, Roopnagar, the second respondent herein, shall ensure expeditious release of the insurance amount, once the refund voucher is issued and processed. Under no circumstance shall this exercise be extended beyond 3 weeks from the date of presentation of the refund voucher.

The writ petition is disposed of with the above observations and directions.

No order as to costs.

(SANJAY KUMAR)
JUDGE

September 02, 2020.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.