

HIGH COURT OF CHHATTISGARH, BILASPUR
W.P.(227) No.71 of 2021

- Kaimun Bibi W/o Gulam Chisti Aged About 44 Years R/o Village And Post Madwaniya P.S. Ramna District Garhwa (Jharkhand) Pin 822128 Present Address Ward No. 40 In The House Of Tibat Bibi Pairadise Gali Mominpura Ambikapur District Surguja Chhattisgarh

---- Petitioner

Versus

1. Govind Kumar S/o Santosh Kumar Aged About 24 Years Cast Teli, R/o Village Churela (Satnamipara) P.S. Bhatgaon District Balodabazar Chhattisgarh. (Driver)
2. Proprietor Shriniwas Roadlines A - 410 Chaitanya Tower Anant Vihar Colony Dalshivani Road Mova Raipur District Raipur Chhattisgarh. (Owner)
3. Branch Manager United India Insurance Company Ltd. Division Office Near Kumkum Hotal Ambikapur Brahm Road Ambikapur P.S. And Tahsil Ambikapur District Surguja Chhattisgarh. (Insurer)
4. Gulam Chisti S/o Late Ali Mohammad Aged About 46 Years Occupation - Agriculturist R/o Village And Post Madwaniya P.S. Ramna District Garhwa (Jharkhand) Pin 822128 Present Address Ward No. 40 In The House Of Tibat Bibi, Pairadise Gali Mominpura Ambikapur District Surguja Chhattisgarh. (Claimant No. 1)

---- Respondents

For Petitioner

– Mr. A.N. Pandey, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

08-02-2021

Heard.

1. This petition has been filed being aggrieved by the order dated 23.11.2020 passed by the learned Motor Accidents Claims Tribunal, Ambikapur, District- Surguja, C.G. dismissing the application of the petitioner for disbursement of the amount in fixed deposit. It was the amount granted to the petitioner as compensation by the M.A.C.T. in

Claim Case No.128/2018. The prayer for disbursement by the petitioner side was made on the ground of requirement of money for the marriage of their son and daughter. Subsequent to the dismissal of the application, it is informed that the marriage of their son and daughter has been performed for which the petitioner side had to borrow money from their relatives.

2. Hence, the petition is disposed off at the motion stage. As there is new ground available to the petitioners about their borrowing of money from their relatives to meet the expenditure of marriage of their son and daughter, hence, there is liability for repayment of loan upon them. Therefore, they are required to file afresh application on this ground before the learned M.A.C.T. The learned M.A.C.T. is directed to consider on the application and pass orders in accordance with law.
3. Accordingly, this petition is disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge