

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(227) No.145 of 2021

- Chandra Shekar Roy S/o Chandra Deep Roy Aged About 29 Years
Occupation Truck Driver, R/o Village Zora, Post Krishak Nagar, P. S.
Telibandha, Tehsil And District Raipur Chhattisgarh

---- Petitioner

Versus

1. Raj Bahadur Pal S/o Satya Narayan Pal Aged About 48 Years
Occupation Truck Owner, R/o Kumar Road, Carriers, Prem Ganga
Complex, Chhorka Nala, Raipur Tehsil And District Raipur Chhattisgarh
(Owner of Truck bearing registration No.CG-04-ZC-5483)
2. New India Assurance Company Ltd. Through Divisional Manager,
Division Office No. 02, Bajrang Market, G. E. Road, Raipur Chhattisgarh
(Insurer of Truck bearing registration No.CG-04-ZC-5483)

---- Respondents

For Petitioner

– Mr. Akhilesh Mishra, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

04-03-2021

Heard.

1. This petition has been brought seeking indulgence of this Court under
Article 227 of Constitution of India in the order dated 12.01.2021,
passed by the Third Additional Motor Accidents Claims Tribunal, Raipur,
C.G. by which the application for release of the amount from fixed
deposit has been partially allowed.
2. It is submitted by the learned counsel for the petitioner that the petitioner
has become permanently disabled, due to the accident that has occurred

in the year 2005. After a long period, finally, he has been awarded compensation on 17.09.2019, which was of amount of Rs.7,36,000/- out of which by the orders of the Court Rs.4,56,714/- is deposited in fixed deposit.

3. It is further submitted that the petitioner made a prayer on the ground that he is permanently disabled and unable to earn his livelihood and also, he has to repay the amount borrowed from his friends, therefore, the whole amount may be released in his favour. Learned Third Additional M.A.C.T. has released amount of Rs.1,00,000/- in his favour.
4. Considered on the submissions, the petition is disposed off at the motion stage and the impugned order is modified and now the amount of Rs.2,00,000/- in all including the amount ordered in impugned order shall be released in favour of the applicant from the fixed deposit.
5. Accordingly, this petition is disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Monika