

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**W.P.(227) No. 304 of 2021**

1. Durga Prasad Patel, S/o. Chintamani Patel, aged about 35 years,
2. Deepika Patel, D/o. Chintamani Patel, aged about 14 years,
Minor Represented Through Father Mr. Chintamani Patel,
Both are residing at Village and Post Jhalmala, Tehsil Pusaur, Police
Station Jutmil, District Raigarh, Chhattisgarh.

---- Petitioners**Versus**

1. Shaukeenjaat, S/o. Manglaramjaat, aged about 38 years, residing at
Village Kemdiyaka Baas Tikawada, Kishangarh, District Ajmer,
Rajasthan.
2. Hariram, S/o. Gheesajaat, aged about 28 years, residing at Saakin
Devpuri, Police Station Arai, Ajmer, Rajasthan.
3. Branch Manager United India Insurance Company Limited, Branch
Office, Gurukripa Tower, Second Floor, Vyapar Vihar Road, Bilaspur,
Chhattisgarh.

---- Respondents

For Petitioners : Mr. Aditya Pandey, Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****23/09/2021**

1. This petition has been brought being aggrieved by the order dated
28.01.2021, by which, the application filed by the petitioners praying
for premature withdrawal of the amount in fixed deposit was
dismissed.

2. The petitioners are claimants in Claim Case No.478 of 2019. The petitioners were awarded compensation by award dated 14.09.2019 passed in Lok Adalat. As per the order of the Lok Adalat, the amount of Rs.2.00 Lacs is kept in fixed deposit in the name of the petitioner No.1 and amount of Rs.2.00 Lacs is kept in the fixed deposit in the name of petitioner No.2 until she attains majority.
3. Application was filed by the petitioners on the ground that the marriage of the daughter of the petitioner No.1 was scheduled for 07.02.2021, therefore, to meet the expenses of the marriage, the amount in fixed deposit of the petitioner No.1 praying to pass order for disbursal at premature stage, which has been dismissed.
4. As per the submissions made, the circumstances have now changed. It is submitted by the learned counsel for the petitioner that petitioner No.1 had to borrow money from his relatives and friends to perform marriage of his elder daughter, therefore, this is new ground on which, the petitioners have entitlement to make a new prayer. The petition is disposed off at motion stage and the petitioners are granted liberty to file repeat application praying for early disbursal of the amount in fixed deposit on the ground that he had borrowed money to meet the expenses of marriage of his elder daughter.
5. Accordingly, this petition is disposed off with the aforesaid observation.

Sd/-
(Rajendra Chandra Singh Samant)
Judge