

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

FAO 1576 of 2018 (O&M)

Date of Decision: February 17, 2022

Mohinder Kaur and others ...Appellants
Versus
Union of India ... Respondents

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Upender Prasher, Advocate
for the appellants.

Mr. Karminder Singh, Advocate
for the respondent.

FATEH DEEP SINGH, J. (Oral)

The present appellants who are dependents of Kartar Singh deceased and who is claimed to have died on 24.10.2014 in an railway accident and preferred compensation from the respondent-Union of India under Section 16 of the Railway Claims Tribunal Act, 1987. It is vide award dated 21.12.2017, the Tribunal awarded compensation to the dependents amounting to Rs.8 lacs to be disbursed in equal

shares. In operative part of the award, it was ordered that out of the award amount Rs. 2 lacs shall be disbursed immediately in favour of the applicants in equal shares and rest of the amount shall be invested by way of FDR in a nationalized bank for a period of 5 years. It is on account of this rider, the present appeal has been preferred by the claimants seeking the release of the amount of the FDR.

Heard Mr. Upender Prasher, Advocate for the appellants and Mr. Karminder Singh, Advocate for the respondent and perused the records.

The purpose of award of compensation in such fatal accidents is purely with the object and intent for the dependents to tide over the sudden and immediate loss of earnings and dependency primarily with the object to ensure that the dependents are not left to fend for themselves in such an adverse circumstance. Since the claimants are young and need money for their upkeep, maintenance and for better settlement

in life so that they are able to overcome hard days they are facing due to loss of their bread earner.

In the light of the law laid down **Amarjeet Singh and another Vs. Union of India, CM-4085-CII-2020 in/and RA-CR-46-2020 in FAO-2037-2019, decided on 25.01.2021; Manjinder Singh Vs. Union of India, CM-8041-CII-2020 in RA-CR-102-2020 in CR-5641-2019 decided on 08.02.2021; Sudesh Kumari Vs. Union of India, CR-5656-2019, decided on 11.09.2019, Raj Kumar Vs. Union of India, CR-3644-2019, decided on 31.05.2019, Sahjadi Khatoon and others Vs. Union of India, CR-493-2020 decided on 27.01.2020** this Court feels that no useful purpose shall be served by keeping the FDR and which is already held for more than 4 years and, therefore, in the ends of justice, this court deems it imperative to order release of the FDR amount including interest amount that has accrued thereon till date to the claimants as per the shares awarded in the award with immediate effect.

In the light of the same, the instant appeal stands

allowed.

February 17, 2022
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking	:	Yes/No
Whether reportable	:	Yes/No