

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(109)

CR No. 1246 of 2023 (O&M)
Date of Decision : 24.02.2023

Bir Singh @ Veer Singh

...Petitioner

Versus

Rajender Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Manish Mehta, Advocate for the petitioner.

Harsimran Singh Sethi J. (Oral)
CM-3594-CII-2023

Application is allowed, as prayed for.

CM-3595-CII-2023

The present application has been filed for impleading Punjab National Bank, Bahalgarh Branch, Sonipat as respondent No. 3.

Keeping in view the averments made in the application, which are duly supported by an affidavit, the same is allowed and Punjab National Bank, Bahalgarh Branch, Sonipat is impleaded as respondent No. 3 in the present petition.

CM-3596-CII-2023

Present application has been filed for impleading Kamlesh-wife of late petitioner Bir Singh and Vinod son of Bir Singh as legal heirs of the petitioner-Bir Singh @ Veer Singh, who has died.

Keeping in view the averments made in the application, which

are duly supported by an affidavit, the same is allowed and Kamlesh, wife of Late Bir Singh and Vinod son of Bir Singh are impleaded as legal heirs of petitioner-Bir Singh @ Veer Singh in the present petition.

CR No. 1246 of 2023

Learned counsel for the petitioner submits that the Court has given its opinion as to whether the house of the petitioner-Bir Singh (since deceased) needs repair or not while declining to release the amount of compensation, which is deposited with the bank. Learned counsel further submits that it is the inhabitants of the house, who are to decide with regard to the repairs needed so as to live a comfortable life in the house concerned hence, the order dated 07.01.2023 passed by the Tribunal so as to decline the release of the compensation awarded is liable to be set-aside.

Keeping in view the facts and circumstances of the present case, especially when the money is sought to be withdrawn so as to repair the house, where the applicant is residing. It is for the inhabitants of the house to decide whether the repairs are needed or not so as to live a comfortable life hence, the order dated 07.01.2023 passed by the Motor Accident Claims Tribunal, Sonapat is set-aside and a direction is issued to respondent No. 3 to release the amount of ₹5 lacs out of the total amount, which is yet to be paid, in favour of the legal heirs of the claimant-petitioner (since deceased) for getting the house repaired.

Civil revision petition is disposed of in above terms.

February 24, 2023

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No