

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

FAO-1903-2022 (O&M)
Date of Decision:-**07.07.2023**

CHANNA AND ANOTHER

... Appellants

Versus

UNION OF INDIA

... Respondent

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CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

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Present:- Mr. Mukul Singla, Advocate
for the appellants.

Mr. Amit Kumar Goyal, Advocate
for UOI-respondent No.1.

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KARAMJIT SINGH, J. (Oral)

1. The present appeal has been filed by the appellants against the order dated 3.3.2021 whereby the Railway Claims Tribunal (in short 'the Tribunal') granted compensation worth Rs.8 lacs in equal shares to the appellants, they being parents of deceased Bant Singh, who died in a train accident on 15.4.2018.
2. The counsel for the appellants submits that while passing the aforesaid award, the Tribunal imposed rider that only 10% of the awarded amount shall be disbursed to the appellants while the balance amount

shall be kept in two fixed deposits for a period of 3 years and appellants are given liberty to withdraw the monthly interest thereon.

3. The counsel for the appellants submits that both the appellants are of old age and they have already lost their son and there is no one in the family to look after them and the appellants immediately requires money for their upkeep. So prayer is made that the amount deposited in the fixed deposits be released in favour of the appellants in equal shares and the impugned order be modified accordingly.
4. Notice of the appeal was given to the respondent Union of India and in response to same Mr. Amit Kumar Goyal, Advocate has put in appearance for UOI-respondent No.1.
5. The counsel appearing on behalf of respondent No.1-UOI submits that the rider was put by the Court below with regard to disbursement of awarded amount, to safeguard the interest of the appellant. However, the counsel for respondent No.1 has not disputed the fact that the appellants are old parents of the deceased and may be in need of money to fulfill their daily needs, which also includes medical expenses.
6. I have considered the submissions made by the counsel for the parties.
7. The very aim and object of award of compensation is based on compassion. In the instant case, the appellants lost their son and there is no other earning member in the family and the appellants require financial help to run the household and to meet their medical expenses. In the given circumstances, the amount which has been actually

provided to the appellants is not sufficient to meet with daily expenses. Thus the rider imposed by the Court below whereby 90% of the awarded amount has been deposited in fixed deposit receipts for a period of 3 years seems to be inappropriate and improper, as the money is required immediately by the appellants to meet with their daily needs.

8. Consequently the appeal is allowed to the extent stated above and concerned bank is directed to release the entire amount along with interest accrued, in favour of the appellants, at the earliest.

07.07.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No