

General Manager Northern Railway vs. Iqbal Singh & Ors.

RFA No.322 of 2017

12.11.2024 Present: Mr. Shiv Pal Manhans, Senior Panel Counsel, for the appellant/non-applicant.

Ms. Kavita Kajal, Advocate vice Mr. Rakesh Chaudhary, Advocate, for applicants/respondents No. 1 to 4.

Mr. Jitender Sharma, Additional Advocate General with Mr. Gautam Sood and Ms. Niyati Thakur, Deputy Advocates General, for non-applicant/respondent No.5.

CMP No.20783 of 2024

The present application under Section 151 of the Code of Civil Procedure, has been maintained by applicants/respondents No.3 & 4, namely Aditya and Ayush, for release of entire amount of compensation in their favour, as per their shares, which is lying deposited in the Registry of this Court.

2. It has been averred by the applicants that as they have now attained the age of majority and are in dire need of money to meet out their day to day expenses, therefore, the entire amount of compensation falling in their shares, may be released to them.

3. Learned Senior Panel counsel for the non-applicant/appellant stated at bar that he has no objection in case the entire amount of compensation falling in the shares of aforesaid applicants/respondents No.3 & 4 as lying deposited in the Registry of this Court, is released in their favour, as the

award has attained finality and no appeal has been preferred against the judgment dated 01.11.2018, passed by this Court in RFA No.322 of 2017 a/w connected matters.

4. Having regard to the averments made in the application, which are duly supported with affidavits of both the applicants as well as taking into consideration the fact that the matter has been finally decided by this Court vide judgment dated 01.11.2018; and since no appeal whatsoever has been filed by either of the parties in the superior court of law against the aforesaid judgment, the same has attained finality, as such, the present application is allowed and the entire amount of compensation falling in the shares of applicants/respondents No.3 & 4, namely Aditya ad Ayush alongwith up-to-date interest, which is lying deposited in the registry of this Court, is ordered to be released in their favour, by remitting the same in their saving bank accounts, after due verification, details whereof have been given in Para-2 of the application.

The application stands disposed of.

(Sushil Kukreja)
Judge

November 12, 2024
(reena)