



CR-5694-2024

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.123

CR-5694-2024
Date of Decision: 13.12.2024

MANJIT KAUR AND ANOTHER

....Petitioners

Versus

UNION OF INDIA AND OTHERS

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Upender Prashar, Advocate
for the petitioners.

ARCHANA PURI, J. (Oral)

The present revision petition has been filed to assail the order dated 07.06.2024, passed by Railway Claims Tribunal, Chandigarh, whereby an application i.e. MA/CDG/0076/2024, filed by the petitioners for release of the amount of compensation awarded to the petitioners and proforma respondent No.2, which was ordered to be kept in the form of Fixed Deposit, has been dismissed.

Mr. Vinod Handa, Advocate, has made appearance on behalf of respondent No.1 and filed Power of Attorney, which is taken on record.

Counsel for the parties heard.

The Railway Claims Tribunal, had granted the compensation, on account of death of Bunty, in a railway accident. Vide order dated 10.05.2023, an amount of Rs.8,00,000/- was granted. Petitioner No.1- Manjit Kaur, who is the widow of the deceased-Bunty was granted



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Rs.4,00,000/-, as compensation, whereas, three minor daughters, as well as mother of the deceased namely, Darshan Kaur, were granted compensation to the extent of 1,00,000/- each, out of total amount of Rs.8,00,000/-.

It is further submitted that vide the aforesaid order, applicants No.1 and 5 (petitioner No.1 and 2 herein), who are the widow and mother of the deceased, were permitted to withdraw 10% of their respective shares, out of the awarded compensation and rest of the amount was ordered to be invested in a Nationalized Bank in Term Deposit, for a period of three years.

Furthermore, vide the same order, the compensation falling to the share of the three minor daughters, namely, Simranjeet Kaur, Kirandeep Kaur and Barkatpreet Kaur, was also ordered to be invested in the Nationalized Bank in Term Deposit, for a period of three years or till they all attain the age of majority, whichever is later.

Feeling aggrieved by the order of investment of the compensation amount, the applicants had filed an application, relating to the amount of compensation, which was ordered to be kept in the form of FDR and the said application was disposed of, vide the impugned order, wherein, learned Tribunal had ordered that 50% of the compensation, with proportionate interest, to be kept in the form of Term Deposit, be released in favour of Manjit Kaur and Darshan Kaur, who are the widow and mother of the deceased, whereas the residue 50% was ordered to be again deposited in the form of FDR, along with proportionate interest.

Feeling aggrieved, the present revision petition was filed.

On query by the court, it is disclosed that Manjit Kaur and Darshan Kaur, are the housewives and the three daughters of the deceased,



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are the students.

Considering the same and also considering the age of Darshan Kaur, petitioner No.2, to be 73 years, definitely hardship is bound to be faced by the petitioners for the purpose of payment of the fees on the studies of the three minor daughters of the deceased and also on account of expenditure to be incurred on the medical ailments, the revision petition is hereby accepted and the amount falling to the share of Manjit Kaur i.e. Rs.4,00,000/- as well as the amount falling to the share of Darshan Kaur i.e. Rs.1,00,000/- be released to the applicants, in toto.

However, the amount falling to the share of three minor daughters, shall be kept intact, in the form of FDR, till they attain the age of majority.

In view of the aforesaid terms, the revision petition stands disposed of.

13.12.2024
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(ARCHANA PURI)
JUDGE

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