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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CM(M) 2931/2024**

ASHOK KUMAR AND ANOTHER

.....Petitioners

Through: Mr. Pankaj Gupta and Mr. Dheerak
Kumar, Advocates

versus

RAM SINGH AND OTHERS

.....Respondents

Through: Ms. Vandana Kahlon and Mr. Rudra
Kahlon, Advocates for R-3 (Through
VC)

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

% **16.07.2024**

CM APPL. 39585/2024 (Exemption)

Exemption allowed subject to just exceptions.

The application stands disposed of.

CM(M) 2931/2024

1. The instant petition under Article 227 of the Constitution of India has been filed on behalf of the petitioners seeking the following reliefs:

"A. Order Dated 22.03.2024 passed by the Ld. Tribunal In M. DJ/402/2024 Titled as "Ashok Kumar Vs. Ram Singh & Ors." be set aside;

B. Directions may be given to Manager, UCO Bank, Karkardooma Court Branch to transfer the amount lying in FDRs in the name of Petitioners in case bearing No; DAR 64/2019 alongwith the interest accrued in the savings bank account of Petitioners.



C. Pass such other and further order as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.”

2. Learned counsel for the petitioners submitted that the learned Tribunal passed the impugned order dated 22nd March, 2024, wherein the learned Tribunal rejected the petitioners' application seeking pre-mature encashment of the FDRs issued in their names.
3. It is submitted that the learned Tribunal wrongly rejected the petitioners' application, without appreciating the fact that they are senior citizens and do not have any source of income.
4. It is further submitted that the pre-mature release of the compensation amount, is for the welfare of the legal heirs of the deceased only.
5. In view of the aforesaid submission, the learned counsel for the petitioners prayed that the instant petition may be allowed and amount deposited in FDRs may be released in favour of the petitioners
6. Learned counsel for the respondent no. 3/insurance company appearing on advance notice has no objection for allowing the instant petition.
7. Heard the learned counsel for the parties as well as perused the material on record.
8. In view of the fact that the amount deposited in the FDRs is for the benefit of the petitioners only and there is no objection raised by the respondent no. 3 for the same, this Court is of the view that there is sufficient cause shown in the petition.
9. Accordingly, the prayer sought in the instant petition is allowed and it is directed that the respondent no. 3/Manager, UCO Bank, Karkardooma



District Court Branch, shall transfer the amount lying in FDRs in the name of petitioners in the case bearing No. DAR 64/2019 along with the interest accrued to the bank account of the petitioners within eight weeks from today.

10. Accordingly, the petition along with pending applications, if any, stands disposed of.

CHANDRA DHARI SINGH, J

JULY 16, 2024
gs/db

[Click here to check corrigendum, if any](#)