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

+ CM(M) 2576/2024

SAROJ GAUTAM & ORS.

..... Petitioners

Through: Mr.Sunil Kumar, Advocate.
Mr.Bijay Kumar, Advocate.

versus

NITIN SHOKEEN & ANR.

..... Respondents

Through: Ms.Suman Bagga, Mr.Shekhar
Kumar and Mr.Pankaj Gupta,
Advocates.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

% 16.05.2024

CM APPL. 29230/2024

1. Learned counsel for the respondent/insurance company is present.

2. The delay of 81 days in filing the present petition is condoned.

3. The application stands disposed of.

CM(M) 2576/2024 & CM APPL. 29229/2024

4. The petitioner is invoking the supervisory jurisdiction of this Court under Article 227 of the Constitution of India, assailing the impugned order dated 21.03.2023 passed by learned Presiding Officer, MACT, Patiala House Courts, New Delhi.

5. The learned counsel for the respondent/insurance company has no objection if the application is allowed as per law.

6. Long and short of the matter is that all the claimants are already on the judicial record of the matter before the learned Tribunal and it



appears that mother of the deceased Smt.Son Kali has since expired.

7. The learned Tribunal has allowed the application of the remaining claimants to bring their legal heirs on record. However, a direction has been passed that the amount of compensation, which was due to be paid to the mother, shall be released by the bank, subject to submission of the succession certificate.

8. Ex facie, the requirement of obtaining and submitting the succession certificate is not called for.

9. Hence the impugned order dated 21.03.2023 is set aside. The concerned Bank shall release the amount of compensation, which was to be paid to the claimant Smt.Son Kali, the mother of the deceased, to the claimant widow of the deceased forthwith.

10. The petition stands disposed of along with pending application.

DHARMESH SHARMA, J.

MAY 16, 2024

VLD