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

+ **CM(M) 3880/2024 & CM APPL. 67998/2024**

SMT. SUNITA DEVI & ANR.

.....Petitioners

Through: Mr. Shekhar Aggarwal, Advocate
through VC.

Versus

MOBIN & ORS.

.....Respondents

Through: None.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

21.11.2024

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1. The present Petition under *Article 227 of the Constitution of India* has been filed on behalf of the Petitioners against the Order dated 16.10.2024 *vide* which the Application under *Section 151 of the Code of Civil Procedure, 1908* filed by the Petitioners seeking release of Rs. 6,50,000/- from the compensation amount to meet the marriage expenses of her son has been dismissed.

2. Pertinently, the compensation in the sum of Rs. 14,83,000/- was given to the Petitioner Nos. 1 and 2, being the mother and father of the deceased respectively. By apportionment of the Award, an amount of Rs. 10,00,000/- came to the share of the Petitioners, out of which an amount of Rs. 8,00,000/- was directed to be kept in the form of monthly FDR.

3. It is submitted in the Application under *Section 151 of the Code of Civil Procedure, 1908* that the marriage of the son of the Petitioners is to be solemnised on 25.11.2024 and the Petitioner No. 1 being the housewife and



the Petitioner No. 2 being a daily wager are not able to meet the expenses of marriage of their son. Therefore, the prayer is made that the impugned Order dated 16.10.2024 may be set aside and an amount of Rs. 6,50,000/- may be released in favour of the Petitioners to meet the marriage expenses of their son.

4. **Submissions heard.**

5. The perusal of the impugned Order dated 16.10.2024 shows that the learned Tribunal has rightly observed that the compensation given was to take care of the entire life of the parents/Petitioners. Spending money on the marriage of the child/children comes in the category of ostentatious spending and would not be in the interest of the Applicants/Petitioners.

6. The Application under *Section 151 of the Code of Civil Procedure, 1908* seeking release of Rs. 6,50,000/- to meet the marriage expenses of son of the Petitioners has been rightly dismissed.

7. In view of above, there is no merit in the present Petition which is hereby dismissed along with pending Application.

NEENA BANSAL KRISHNA, J

NOVEMBER 21, 2024

S.Sharma