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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CR-198-2025

DECIDED ON: 15.01.2025

SAROJ DEVI AND ORS**.....PETITIONERS****VERSUS****UNION OF INDIA****....RESPONDENT****CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL.**

Present: Mr. Narender Kaajla, Advocate for the petitioners.

VIKRAM AGGARWAL, J (ORAL)

The present revision petition is directed against the order dated 06.01.2025 (Annexure P-4) passed by the Railway Claims Tribunal vide which the application moved by the petitioners for release of the amount of compensation in FDR was rejected.

2. A claim petition was preferred by the petitioners before the Railway Claims Tribunal, Chandigarh for the grant of compensation on account of the death of Kanwarpal. The claimants were the widow and minor children of Kanwarpal. Vide judgment/award dated 19.04.2022 (Annexure P-1), a sum of Rs.3,00,000/- was awarded to petitioner No.1 and a sum of Rs.2,50,000/- each was awarded to petitioners No.2 and 3 alongwith interest. However, it was also ordered that out of the awarded amount, 10% of the amount would be disbursed to the petitioners-claimants and the remaining 90% would be kept in an FDR. An application was moved by the petitioners for the release of the amount kept in the FDR on account of the marriage of petitioner No.2 Indu which is stated to be fixed for 21.02.2025. The application was, however, dismissed by the learned Tribunal on the ground that it was not appropriate and justifiable to release the FDRs of all the petitioners for arranging the marriage of petitioner No.2

3. Learned counsel for the petitioners submits that the order passed by the learned Tribunal is unduly harsh for the petitioners are in a



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very poor financial condition and they need the entire amount for solemnizing the marriage of petitioner No.2. Learned counsel further submits that both petitioners No.2 and 3 are now majors and even petitioner No.3 is willing to give his share for the marriage of his sister. He further contends that even otherwise, the FDRs are maturing in the year 2026 and as of now, there is no stay against the award.

4. I have considered the submissions made by learned counsel for the petitioners and am of the considered view that the order passed by the learned Tribunal is not justified. No doubt, certain amount is kept in FDRs to safeguard the same in case of any contrary decision in appeal etc. However, at the same time, it has to be borne in mind that the awarded amount is for the benefit of the claimants on account of the unfortunate demise in the family and that too of the sole bread winner. In the considered opinion of this Court, a compassionate view of the matter should have been taken.

In view of the above, the revision petition is allowed. The impugned order dated 06.01.2025 (Annexure P-4) is set aside and the application filed by the petitioners is allowed. It is directed that the petitioners shall appear before the learned Tribunal within a period of 10 days from today for getting their statements recorded. After recording their statements, the shares of petitioners No.1 and 2 i.e. Saroj Devi and Indu shall be released to them in accordance with the rules. In case, petitioner No.3 also gives his consent for release of his FDR, the said amount be also released as per rules.

15.01.2025
Prince Chawla

(VIKRAM AGGARWAL)
JUDGE

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