



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

Sr. No.149

**CR-766-2022
Date of Decision: 10.03.2025**

DHARMENDRA AND ANOTHER

....Petitioners

Versus

UNION OF INDIA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

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

Mr. Lalit Attri, Central Govt. Counsel and
Mr. Sunil Kumar Sharma, Senior Panel Counsel
for the respondent-UOI.

ARCHANA PURI, J. (Oral)

Challenge in the present revision petition is to the order dated 24.11.2021 (Annexure P-4), passed by learned Railway Claims Tribunal, Chandigarh Bench in CMI-57-2021, filed for release of the entire amount of compensation awarded, which was ordered to be kept in the Fixed Deposit. Further, prayer is made for issuance of direction for release of the entire amount of compensation awarded.

The counsel for the parties heard.

Facts germane to be noticed are that, the parents of the



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deceased-Amarjeet Chaudhary, had filed the claim application, thereby claiming Rs.10,00,000/- as compensation, under Section 16 of the Railway Claims Tribunal Act, 1987, read with Section 124-A of the Railways Act, 1989. However, after conclusion of the trial, vide judgment dated 04.03.2021, the claim application was allowed and an amount of Rs.8,00,000/-, along with the interest @ 9%, from the date of incident, till the date of payment, was awarded to the petitioners (applicants before learned Tribunal). Also further, it was observed that both the petitioners i.e. father and mother of the deceased, shall receive an amount of Rs.4,00,000/- each. In the concluding paragraph, it was observed by the Railway Claims Tribunal, with regard to release of 10% of the Award amount, to each of the petitioners/applicants through RTGS, whereas, the remaining amount was ordered to be kept in the Fixed Deposit, in their names, for a period of three years. However, the petitioners were ordered to be at liberty to withdraw the monthly interest thereon.

Being aggrieved by the aforesaid rider of the extent of amount, to be released in favour of the petitioners/applicants, the petitioners had filed an application, upon which the order dated 24.11.2021 was passed by learned Railway Claims Tribunal, copy whereof is Annexure P-4, wherein, besides an amount of Rs.40,000/- i.e. 10% amount, already released to the petitioners/applicants, another amount of Rs.1,00,000/- was ordered to be released, out of the Fixed Deposit. In these circumstances, the applicants have filed the present revision petition, for release of the entire amount of compensation granted.

Perusal of condition (a) at page No.10 of the order dated 04.03.2021 reveals about the amount to have been kept in the form of Fixed



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Deposit, for a period of three years, which has since passed by. Considering the same and also considering the amount already released in favour of the petitioners, from time to time, the present revision petition is hereby accepted and the residue of the awarded amount be released by learned Railway Claims Tribunal, to the petitioners/applicants proportionately, along with the proportionate interest, up to date, within a period of six weeks from today onwards.

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

10.03.2025

Himanshu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No