

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****336-1****CR-1636-2023 (O&M)****Date of Decision : 17.02.2025**

Pooja and Others

....Petitioners

VERSUS

United Insurance Company Ltd

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Vipul Sharma, Advocate for
Mr. Ravinder Arora, Advocate for the petitioners.

Ms. Farheen Bajwa, Advocate for
Mr. Harsh Aggarwal, Advocate for the respondent.

ALKA SARIN, J. (Oral)

1. Present revision petition has been filed by the petitioners impugning the order dated 02.01.2023 whereby application filed by the petitioners herein for release of the statutory amount of Rs.25,000/-, which was deposited by the respondent-Insurance Company, was allowed subject to furnishing the indemnity bond to the tune of Rs.50,000/- with one surety in the like amount.

2. Learned counsel for the petitioners would contend that in connected appeal being FAO-2428-2022 filed by the Insurance Company challenging the quantum of compensation, 40% of the compensation amount was directed to be deposited in a nationalized bank whereas 60% of the amount was directed to be released to the claimants against surety. Learned counsel for the petitioners would further contend that 60% amount of compensation since stands released in favour of the petitioners. It is further

the contention that for releasing the statutory amount of Rs.25,000/- the condition of furnishing the indemnity bond of Rs.50,000/- with one surety in the like amount is very harsh.

3. Learned counsel for the respondent would contend that the impugned order has rightly been passed.

4. Heard.

5. In the present case, for release of the statutory amount of Rs.25,000/-, the Executing Court has directed the deposit of indemnity bond of Rs.50,000/- with one surety in the like amount alongwith an undertaking to return the statutory amount if some better claimant appears. The impugned order is not sustainable in law as the only prayer was for release of the statutory amount of Rs.25,000/- qua which there is no stay by this Court.

6. In view of the above, present revision petition is allowed and the statutory amount of Rs.25,000/- is ordered to be released to the claimants i.e. petitioners herein.

7. Disposed off. Pending applications, if any, also stand disposed off.

**(ALKA SARIN)
JUDGE**

17.02.2025
jk

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO