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

+ CM(M) 2229/2025 & CM APPL. 72589/2025

MAHESH KUMAR

.....Petitioner

Through: Mr. Pankaj Gupta, Ms. Priyanka S.
Aneja, Advocates.

versus

AMJAD AND OTHERS

.....Respondents

Through: Ms. Suman Bagga, Advocate for
R-3.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **19.11.2025**

1. By way of this petition under Article 227 of the Constitution, the petitioner assails an order of the Motor Accident Claims Tribunal ["Tribunal"] dated 15.11.2025, by which his application for pre-mature release of compensation amount has been rejected.

2. The petitioner is the husband of one Smt. Kamlesh Devi, who passed away in a road accident. Proceedings were instituted before the Tribunal. The claimants before the Tribunal were the petitioner herein and his four children who were aged 28, 21, 21, and 19, respectively.

3. The proceedings culminated in a settlement order passed by the Lok Adalat on 09.03.2024. In terms of the settlement agreement, a total amount of Rs.16,50,000/- was awarded to the claimants, out of which more than half, i.e. Rs. 8,50,000/- was awarded to the petitioner and Rs.2,00,000/- each was awarded to the four children. A copy of the



settlement order dated 09.03.2024 has been handed up in Court and is taken on record.

4. The petitioner's application before the Tribunal for pre-mature release was predicated upon the imminent marriage of his son on 27.11.2025. The Tribunal has rejected this request simply on the ground that the son is working and is a major.

5. Out of the amount of Rs.8,50,000/- awarded to the petitioner, Rs.1,50,000/- was released immediately, and the balance of Rs.7,00,000/- was kept in 35 monthly fixed deposits of Rs.20,000/- each. Having regard to the fact that approximately twenty months have passed since the settlement order, a further amount of Rs.4,00,000/-, and interest thereupon, has already been released to the petitioner. There thus remains fifteen fixed deposits of Rs.20,000/- each.

6. Having heard Mr. Pankaj Gupta, learned counsel for the petitioner, and Ms. Suman Bagga, learned counsel for respondent No. 3 – ICICI Lombard General Insurance Company Ltd., who appears on advance notice, I am of the view that the Tribunal's approach is unduly restrictive. The desire of a parent to provide, in some measure, for the marriage of his children, cannot be negated only on the basis that the child is working and has attained majority. However, I do not accept the petitioner's request for release of the entire amount still lying in fixed deposits. Quite apart from any other requirements, the petitioner has three other children who are yet to be married.

7. Having regard to the facts and circumstances of the case, the petition is disposed of with the direction that the Bank [SBI Bank, Rohini Karkardooma Court Branch] will release a sum of Rs.1,00,000/- to the



petitioner at this stage, by pre-mature redemption of the next five monthly fixed deposits lying with it. The rest of the fixed deposits will be released in accordance with the scheme incorporated in the order of the Lok Adalat dated 09.03.2024.

8. The writ petition, alongwith pending application, stands disposed of.

PRATEEK JALAN, J

NOVEMBER 19, 2025
SS/KA/