30.10.2026 Present: Mr. Sambhav Bhasin, Advocate, for the appellant.

Mr. Rajesh Kumar, Advocate, for the respondent.

CMP No.26355 of 2026

This application has been moved by applicants/respondents No.1 to 3 seeking release of the compensation amount awarded in their favour by the learned Motor Accident Claims Tribunal, on the grounds averred therein.

2. Vide impugned award dated 21.09.2022, compensation to the tune of ₹31,64,455/- along with interest at the rate of 7.5% per annum from the date of filing of the petition stood awarded in favour of the applicants/respondents No.1 to 3 and respondent No. 4 (minor). As per the award, the compensation had been apportioned in favour of applicant/respondent No.1 to the tune of 40%, and applicants/respondents No.2 and 3 were to have 20% share each in the compensation amount.

3. Learned counsel for applicants/respondents No.1 to 3 submits that the marriage of applicant/respondent No.2 stands fixed and money is required for the solemnization of her marriage. It is further submitted that amount is also required by applicant/respondent No.3 to pursue her studies further. Applicant/respondent No.1 is the wife, while applicants/respondents No.2 and 3 are the son and daughter of deceased Parveen Kumar, who lost his life in a motor vehicle

accident which took place on 03.02.2018. It was further contended that as the applicants/respondents No.1 to 3 had lost the sole breadwinner of the family, they are not in a position to meet the marriage expenses of applicant/respondent No.2 and the educational expenses of applicant/respondent No.3. Therefore, prayer has been made for release of the compensation amount.

4. The application has been contested by the non-applicant/appellant by filing a reply, contending that further release of the amount in favour of the applicants is premature and that in the event the appeal is allowed, it would be difficult for the appellant to recover the amount from them. Hence, dismissal of the application has been prayed for.

5. The application filed by applicants/respondents No.1 to 3 is duly supported by affidavits furnished by them, as such, there is an oath to the averments made in the application.

6. No doubt, the non-applicant/appellant has objected to the release of further compensation amount in favour of applicants/respondents No.1 to 3, but the fact remains that on an earlier occasion, an amount of ₹3,00,000/- stood released in favour of applicant/respondent No.1 and ₹1,00,000/- each in favour of applicants/respondents No.2 and 3 out of the total awarded compensation falling to their respective shares.

7. Since the averments made in the application are duly supported by affidavits, this Court is of the considered

view that as the marriage of applicant/respondent No.2 stands fixed and funds are required for the same, as also for the continuation of studies of applicant/respondent No.3, the application deserves to be allowed.

8. Accordingly, the application is allowed by ordering that an amount of ₹2,00,000/- (Rupees Two Lakh) in favour of applicant/respondent No.1 and ₹50,000/- (Rupees Fifty Thousand) each in favour of applicants/respondents No.2 and 3, out of the compensation amount falling to their respective shares under the impugned award, be released in their favour. The same be remitted to their respective bank accounts, particulars whereof have been annexed with the application, after due verification.

9. However, it is clarified that applicants/respondents No.1 to 3 shall not claim any equity in their favour on the basis of this release, and they shall be liable to face legal consequences in case the final decision in the appeal is rendered against them.

10. The application stands disposed of.

FAO No.260 of 2022

11. List the main appeal for final hearing on **04.12.2026**.

October 30, 2026 **(Yogesh Jaswal),**
(meera) **Judge**