



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

122

CR-2765-2026

Date of Decision:-30.03.2026

Mohd. Masoom Khan @ Mohammad Masoom KhanPetitioner

Versus

Mohammad Talim Khan and others.Respondents

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Rakesh Gupta, Advocate, &
Mr. Ashish Gupta, Advocate, for the petitioner.

AMARINDER SINGH GREWAL, J. (Oral)

1. The present revision petition has been filed under Article 227 of the Constitution of India for setting aside the order dated 15.11.2025 (Annexure P-1) passed by the learned MACT, Nuh, and further seeking permission for the petitioner to withdraw the amount of ₹4,34,432/- along with up-to-date interest lying with Sarva Haryana Gramin Bank, Ferozepur Jhirka, District Nuh.

2. Brief facts of the case are that the petitioner—Mohd. Masoom Khan and others had filed a claim petition under Section 166 of the Motor Vehicles Act, 1988 against the respondents—Mohammad Talim Khan and others on account of the death of one Ramjano. The claim petition was contested by the respondents and the parties led their respective evidence. Ultimately, the said claim petition was allowed and the present petitioner along with others were awarded compensation of ₹22,65,000/- along with interest. The share of the present petitioner was directed to be deposited in a bank, as he was a minor at the time of



passing of the award dated 13.08.2024. An amount of ₹4,34,432/- was accordingly deposited in Sarva Haryana Gramin Bank, Ferozepur Jhirka. Thereafter, the applicant/petitioner Mohd. Masoom Khan moved an application for release of the aforesaid amount. However, the learned Presiding Officer, MACT, Nuh, vide the impugned order, held that the said amount could not be disbursed to his father/applicant Mohd. Javed for repayment of a friendly loan, etc., and accordingly dismissed the application.

3. Learned counsel for the petitioner prays for allowing the present revision petition by relying upon the judgment of the Hon'ble Supreme Court in case of *H. S. Ahammed Hussain Vs. Irfan Ahammed referred as 2002 AIR (SC) 2483*, in support of his contention.

4. I have heard learned counsel for the petitioner and have perused the paper book.

5. In view of the nature of the order proposed to be passed, issuance of notice to the respondent is dispensed with, as the same would only delay the proceedings and entail unnecessary expenses.

6. This Court is of the view that the impugned order is not sustainable in the eyes of law for the reason that petitioner Mohd. Masoom Khan had himself filed the application for release of the FDR and the said application was not filed by his father. Moreover, the petitioner has attained the age of majority. Further, in the application, the petitioner has stated that his marriage was solemnized on 14.08.2025 and that his father is a poor person, who had taken a friendly loan from his relatives to meet the expenses of the marriage, including purchase of



gold and silver ornaments, clothes, etc., and now intends to repay the said loan. Learned counsel for the petitioner has relied upon the judgment of the Hon’ble Supreme Court in *H.S. Ahammed Hussain Vs. Irfan Ahammed*, reported as 2002 AIR (SC) 2483, wherein it has been held that no restriction can be placed on the right of the petitioner to claim the amount lying deposited in his name.

7. This Court finds that there are no valid reasons to deny the prayer of the petitioner. Accordingly, the present revision petition is allowed, the impugned order is set aside, and the petitioner is permitted to withdraw the amount lying deposited in his name from the bank, in accordance with law.

8. Pending applications, if any, shall stand disposed of.

(AMARINDER SINGH GREWAL)
JUDGE

30.03.2026
anil

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No