

Order below exhibit 1

1. The present application has been filed seeking release of compensation which was allotted to the applicants. The Mother of applicant no.2, wife of applicant no.1 had died due to electrocution . In a suit filed for damages before the civil court bearing registration no. Regular Civil Suit no. 47/2015, the court allotted compensation to them vide its order dated 24/09/2018. The opponent went into appeal. The appeal was decided on 24/07/24. Upon finalization of said appeal, the opponent deposited Rs. 6,50,845/- in the court. The applicant no. 2 was minor therefore, the said money was ordered to be deposited in a fix deposit jointly in the name of both the applicants till the applicant no.2 gains majority. Now, the applicant no. 2 has become major and is in need of such money. Hence, the present application is filed seeking release of the said Fixed deposit in their favour.
2. Upon institution, notice was issued to the opponent to come up before the court and file any objection against the present application, if any. However, in spite of being served the opponent did not appear before the court. Hence, there is reason to believe that the opponent has no objection against the present applicant.
3. Looking to the record of the case, amount of Rs. 6,50,845/- has been deposited in a nationalized bank in a fixed deposit jointly in the name of both the applicants. The opponent has not taken any objection to the present application . Hence, taking into consideration the fact that the applicant no.2 is born on 20/01/2008, having attained majority at the filing of the application on 03/02/26, this court is of the view that the application needs to be allowed, hence, following order is passed.

Order

- The fixed deposit created in the joint name of both the applicants in Regular execution no. 11/2019 for the amount of Rs.6,50,845/- is hereby ordered to be withdrawn(released) and paid to the present applicants.

Date: 14/05/26

(Anubhav Pandey)
Principal Sr. Civil Judge,
Vanthali, Junagadh.
Code:GJ01133.