



2026:CGHC:9871



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WP227 No. 214 of 2026**

1. Ramkumari W/o Chhanu Lal Mauwar, Aged About 38 Years, R/o Village Bitkula, Police Station Seepat, District Bilaspur (C.G.).
2. Channu Lal Mouwar, S/o Shri Saukhi Lal, Aged About 40 Years, R/o Village Bitkula, Police Station Seepat, District Bilaspur (C.G.).

... Petitioners**versus**

1. Chhattisgarh State Power Distribution Company Limited Through Junior Engineer Seepat (C.G.) State Power Distribution Co. Ltd. Police Station Seepat, District Bilaspur (C.G.).
2. Chhattisgarh State Power Distribution Company Limited, Through Assistant Executive Engineer, Torwa, C.G. State Power Distribution Co. Ltd. Old Power House Torwa, Police Station Torwa, District Bilaspur (C.G.).
3. Chhattisgarh State Power Distribution Company Limited, Through Chief Executive Engineer, C.G. State Power Distribution Co. Ltd. Tifra, Police Station Sirgitti, District Bilaspur (C.G.).
4. State Of Chhattisgarh Through Collector, Bilaspur, District Bilaspur C.G.

... Respondents***(Cause title taken from Case Information System)***

For Petitioners	:	Mr. Aman Ansari, Advocate.
For State/respondent No.4	:	Mr. Sanjay Kumar Yadav, P.L.

Hon'ble Shri Justice Sachin Singh Rajput**Order on Board****25/02/2026**

1. Heard.
2. This writ petition has been preferred by the petitioners under Article 227 of the Constitution of India, seeking following reliefs:-



“10.1 That the Hon’ble Court be pleased to call for the record of the case.

10.2 That the Hon’ble Court be pleased to set aside the order dated 28.01.2026 (Annexure-P/1) in part with respect to the rejection of the application qua petitioner No. 1.

10.3 The Hon’ble Court be further pleased to pass such orders as in the circumstances of the case as are deemed fit.”

3. Brief facts of the case are that petitioners have filed the civil suit bearing Civil Suit No.03-B/2019, against the respondents stating *inter alia* that on 01.06.2016, when deceased Neha was pouring water on lantern/slab, she came in contact with the electric wire drawn over the roof of house of the deceased, as a result of electrocution, she died on spot. The accident has occurred due to negligence on the part of appellants/defendants No.1 to 3. The incident was reported on the same day at Police Station Seepat, on the basis of which, merger No.38/2016 was registered. At the time of accident, the deceased was aged about 16 years and earning Rs. 2,000/- per month by work of labour. The plaintiffs had prayed for grant of Rs 10,56,000/- towards loss of earning; Rs 20,000/- towards expenses of last rites and; Rs. 20,000/- towards mental agony, thus claimed total Rs 10,96,000/- with interest at the rate of 18% per annum, from the respondents No 1 to 3 jointly and severally. After considering the evidence and contention of the learned counsel for the parties, the learned trial Court allowed the suit partly and granted decree in favour of the petitioners and directed the respondents No.1 to 3 to pay compensation of Rs. 6,24,800/- to the plaintiffs/petitioners along with interest at the rate of 9% per annum and directed that 30% percent of the amount can be withdrawn and 70% be fixed deposited for a period of 5 years in a nationalized bank. Copy of the Judgment is being filed with this petition. Against the said judgment and decree, respondents preferred the first appeal before the High Court bearing FA No.36/2022, which was dismissed by this



Court vide order dated 30.07.2025. The petitioners, with the said 30% of the amount started the construction of the house, but due to shortage of funds, the work could not be completed, hence they filed an application for premature withdrawal of the amount of rupees 5,25,934/- for construction of the house, which was directed to be fixed deposited. But, the above application, vide order dated 28.01.2026 was partly allowed by the learned Principal District Judge, Bilaspur in favour of the petitioner No.2 only and without stating any reason, rejected the same against the petitioner No.1. It has been directed that amount of rupees 2,62,967/- be deposited in the savings account of the petitioner No.2. Hence, this petition.

4. Learned counsel for the petitioners submits that petitioners are very poor persons and have no fixed source of livelihood. The petitioners had already started construction of their house with the amount previously received by them. Due to shortage of funds, construction of lanter, plaster and other related work is still pending. The house will turn to ruin, if the construction is not completed. He submits that photographs of the house is also being filed with this petition. It is further submitted that no reason whatsoever has been assigned by the learned trial Court for rejecting the application for petitioner No.1. He further submits that the learned trial Court has erroneously stated in the order that petitioners require the amount for repair work, but petitioners have clearly stated in the application that they require the amount for completing the construction of the house. Hence, they prayed that this petition may be allowed and amount may be granted to the petitioners for the said purpose.
5. Learned State counsel supports the impugned order and submits that the petitioner No.1 is the wife of petitioner No.2 and the application of petitioner No.2 has been allowed and the amount deposited in his FD account has already been directed to be transferred in his saving account, whereas the



amount kept in FD account of petitioner No.1, who is the wife of petitioner No.2, has only been rejected to be transferred into her saving account, as such considering the facts and circumstances of the case, the application has rightly been rejected by the learned Trial Court.

6. I have heard learned counsel for the parties and perused the material available on record.
7. It is evident from the record that the daughter of the petitioners had died due to electrocution, upon which the petitioners filed civil suit before the learned trial Court, which was partly allowed and Rs.6,24,800/- was awarded in favour of the petitioners, which was payable to them by the respondents jointly and severally. The said amount was distributed equally in the accounts of the petitioner, out of which 30% amount was directed to be deposited in their saving accounts, whereas the rest 70% amount was directed to be deposited in their FD accounts.
8. Subsequently, the petitioners filed application under Order 151 of CPC seeking transfer of the amount deposited in their FD accounts into their saving accounts on the ground that they are poor people and are unable to manage their livelihood. The application of the petitioner No.2 was partly allowed, whereas the application of the petitioner No.1, who is the wife of petitioner No.2, has been rejected vide impugned order (Annexure-P/1).
9. Considering the facts and circumstances of the case, particularly the fact that the petitioner No.1 is aged about 38 years, whereas the petitioner No.2 is aged about 40 years, as such they are able to work and for the fact that the application of petitioner No.2 has been allowed and the amount deposited in his FD account has already been directed to be transferred in his saving account, whereas the amount kept in FD account of petitioner No.1, who is



the wife of petitioner No.2, has only been rejected to be transferred into her saving account, I am not inclined to entertain the present writ petition.

10. Accordingly, the writ petition is dismissed at the admission stage itself.

11. Interlocutory application(s), pending if any, also stands dismissed.

**Sd/-
(Sachin Singh Rajput)
Judge**