

Shriram General Insurance Company vs. Jasvir Kaur and others

FAO No.123 of 2022

16.11.2022 Present Mr. Jagdish Thakur, Advocate, for the appellant.
Mr. Sanjeev Kumar Suri, Advocate, for the respondents.

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Admit.

Notice. Mr. Sanjeev Kumar Suri, Advocate, appears and waives post admission notice on behalf of the respondents. Record of learned Court below be called for.

CMP No.8371 of 2022

Since entire amount of compensation stands deposited in terms of the order dated 7.7.2022 and as such, interim order dated 7.7.2022, is made absolute. The application stands disposed of. Alteration/modification/vacation on motion.

CMP No.15272 of 2022

By way of instant application, prayer has been made on behalf of applicant/respondent No. for release of the award amount lying deposited in the Registry of this Court. Despite repeated opportunities, no reply has been filed on behalf of the non-applicant-appellant.

Learned counsel representing the non-applicant-appellant fairly states that some reasonable amount can be ordered to be released in favour of applicant/respondent No.1 during the pendency of the appeal.

Having heard learned counsel representing the parties and perused the material available on record, this Court finds that sum of Rs.93,66,000/- came to be awarded in favour of the

respondents/ claimants No.1 to 3 on account of death of deceased Gurjeet Singh. Since aforesaid deceased person was the sole bread winner of the family, applicant/respondent No.1, wife of the deceased has approached this Court in the instant proceedings for release of the award amount falling to her share, during the pendency of the appeal. Since considerable time is likely to be consumed in final disposal of appeal, coupled with the fact that applicant requires the amount to return the friendly loans and to renovate her house, this Court sees no impediment in accepting the prayer made in the application.

Consequently, in view of the above, the present application is allowed and Registry is directed to release 25% of the compensation amount lying deposited with it in favour of applicant/respondent No.1, out of her share as defined in the award, by remitting the same in her saving bank accounts, details whereof are given in para-6 of the application, subject to verification by the Accounts Branch. Needless to say, remaining amount shall be kept in FDR's till further order. The application stands disposed of.

(Sandeep Sharma)
Judge

16th November, 2022
(shankar)