

Supplementary List-I
Serial No. 58

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

CM No. 2670/2026

In

MA No. 176/2011

Vidya Devi & Ors.

.....Applicants/Appellants

Through: Mr. Jagpaul Singh, Advocate.

Vs

The National Insurance Co. Ltd.

.....Non-applicants/Respondents

Through:

CORAM: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER
(08.05.2026)

01. The claim petition bearing **file No. 87/CP** dated **25.10.2000** came to be *disposed of* by the Motor Accident Claims Tribunal (MACT), Kathua by virtue of a common award dated **24.12.2010**, whereby a number of claim petitions having arisen out of the same accident had come to be *disposed of*.

02. The claimants of the **claim petition No. 87/CP** were admitted to compensation of an amount of **Rs. 11,25,000/-** along with interest @ **7.5%** per annum from the filing date of the claim petition till actual realization.

03. The compensation so granted was to be disbursed equally amongst all the claimants. The death compensation was

related to deceased victim-Prem Singh Choudhary who was survived by his widow, daughters as well as sons.

04. The award came to be challenged by the National Insurance Company Ltd., by way of filing as many as 58 appeals which included appeal-**CIMA No. 176/2011** relatable to the **claim petition No. 87/CP**.

05. This Court, by virtue of its common judgment dated **10.08.2016**, *dismissed* all said 58 appeals filed by the National Insurance Company Ltd., including appeal-**CIMA No. 176/2011** by maintaining the compensation so granted.

06. It is by reference to said *disposed of* appeal-**CIMA No. 176/2011** that the present application-**CM No. 2670/2026** has come to be filed on **30.04.2026** purportedly from the end of the claimants to the effect that Vidya Devi, the claimant No. 1 and widow of deceased victim-Prem Singh Choudhary, has expired on **09.06.2024** and her share of compensation is now required to be shifted to the surviving legal heirs and, therefore, a direction is solicited in this regard.

07. Nothing has been stated in the application from the end of the counsel-Mr. Jagpaul Singh for assisting the Court to figure out as to how come with respect to a *disposed of* matter

way back in August, 2016 it is being meant to be said that this Court is having the portion/share of compensation lying in deposit.

08. If the averments made in the aforesaid application are to be believed, then the entire awarded compensation amount of **Rs. 11,25,000/-** along with updated interest remained in deposit with this Court and the claimants/respondents No. 1 to 7 at no point of time came forward to ask for the release.

09. Mr. Jagpaul Singh, learned Advocate for the body of claimants except deceased claimant-Vidya Devi submits that he has applied for release of the compensation as per the share of all the claimants but since the share of Vidya Devi, widow of deceased-Prem Singh Choudhary, would remain unpaid because of the fact that said Vidya Devi has expired, as such, her share also needs to be disbursed equally in favour of the rest of the claimants who have already sought release of their share.

10. This application is **disposed of** with a direction to learned Registrar Judicial, Jammu to disburse the entire compensation amount deposited by reference to **CIMA No. 176/2011** in favour of the respondent Nos. 2 to 6 by counting the share of deceased No. 1-Vidya Devi also to be payable to respondent Nos. 2 to 6, upon joint undertaking to be

submitted by the respondent Nos. 2 to 6 that in case of any better claimant coming forward for laying claim to the share of compensation of the deceased respondent No. 1-Vidya Devi to the exclusion of the respondent Nos. 2 to 6, then the respondent No. 2 to 6 shall be obliged to reimburse the share of compensation of Vidya Devi paid to them along with interest for the intervening period.

11. Application is, accordingly, ***disposed of***.

JAMMU
08.05.2026
Bunty

