

CLMA No. 11132/2018 (Money Withdrawal Appl.)

In

A.O. No.58 of 2018

Hon'ble V.K. Bist, J.

Mr. Ashish Joshi, Advocate for the appellant.

Mr. Narendra Bali, Advocate for respondent nos. 1 to 3.

Heard learned counsel for the parties.

This money withdrawal application has been filed by the applicants/respondent nos. 1 to 3 for permitting them to withdraw the awarded amount deposited by the appellant before Tribunal concerned.

Learned counsel for respondent nos. 1 to 3 submitted that respondent no. 1 is wife of the deceased and respondent nos. 2 & 3 are her minor daughters. He further submitted that the respondent no. 1 is in urgent need of money, inasmuch as, her one of the daughters is going to be admitted in the School and the money is required for her admission. He requested that, for the said urgent need, ₹ 1,00,000/- be given to her by way of bank draft. Regarding further amount, he submitted that in case amount is released in favour of the respondent no.1, then the respondent no.1 will deposit the same in a fixed deposit interest earning scheme and from the monthly interest earned, their daily need will be met.

Learned counsel for the respondent nos.1 to 3 fairly stated that he will not charge not more than ₹ 5,000/-, as fee, from his client.

After considering the submission of learned counsel for the parties, it is directed that an amount of ₹ 1,00,000/-

(Rupees One Lakh Only) shall be given to the applicant/respondent no.1 by way of bank draft for her immediate need. Remaining amount shall be deposited in a fixed deposit account in the joint name of respondent no.1 to respondent no.3 in which monthly interest is given. Applicant/respondent no.1 is permitted to withdraw monthly interest for maintaining herself. Further Registry is directed to remit the entire sum, deposited under the statutory provision, to the Tribunal concerned within two weeks from today. The amount so remitted by this Court as well as the amount already deposited with the Tribunal, shall also be invested by the Tribunal in a fixed deposit scheme as directed above.

Money withdrawal application stands disposed of.

Arpan

(V.K. Bist, J.)

01.08.2018