

**Vimla Devi and ors. Vs. Manoj Kumar and ors.**

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**SooperKanoon Citation :** [sooperkanoon.com/1124058](http://sooperkanoon.com/1124058)

**Court :** Delhi

**Decided On :** Feb-03-2014

**Judge :** Suresh Kait

**Appellant :** Vimla Devi and ors.

**Respondent :** Manoj Kumar and ors.

**Judgement :**

\$~27 \* IN THE HIGH COURT OF DELHI AT NEW DELHI Judgment delivered on:

3. d February, 2014 % + CM(M) 122/2014 VIMLA DEVI & ORS. Represented by: ..... Petitioners Mr.Anshuman Bal, Advocate. Versus MANOJ KUMAR & ORS. Represented by: ..... Respondents Mr.Pankaj Seth, Advocate for Respondent No.3/Insurance Company. CORAM: HON'BLE MR. JUSTICE SURESH KAIT SURESH KAIT, J.

(Oral) CM No.2156/2014 (for exemption) Exemptions allowed, subject to all just exceptions. The application stands disposed of. CM(M) 122/2014 1. Notice issued.

2. Mr.Pankaj Seth, learned counsel accepts notice on behalf of the respondent No.3/Insurance Company.

3. Vide the instant petition, the petitioners are seeking release of the compensation amount lying deposited in the form of FDR in their joint name with State Bank of India, District Courts Rohini Branch, New Delhi.

4. Vide order dated 07.01.2013, while awarding compensation for a sum of Rs.4,50,000/-, the learned Tribunal directed to deposit the said amount in the joint name of the petitioners with State Bank of India, District Court Rohini Branch, New Delhi, initially for a period of five years with liberty to withdraw monthly interest in SB Account in the joint name.

5. Learned counsel appearing on behalf of the petitioners submits that deceased Manoj Kumar died in the accident occurred on 07.11.2010 and a period of more than three years has passed since then. He submits that the petitioners being in old age require money to meet their household expenses and also to pay the loan taken by them from their friends and relatives.

6. For the aforesaid purpose, an application was moved by the petitioners before the learned Tribunal, however, the same was dismissed vide order dated 12.04.2013.

7. Keeping in view the averments made in the instant petition and the submissions made by learned counsel for the petitioners, the Branch Manager of State Bank of India, Rohini Courts, New Delhi, is directed to release a sum of Rs.2,00,000/- (Rs.Two Lakhs only) from the FDR on taking necessary steps by them. The balance amount shall be kept in the FDR for a period of three years with liberty to draw monthly interest in SB A/c in joint name.

8. In view of the above, this petition is allowed.

9. A copy of this order be given dasti to the learned counsel for the parties.

10. The Registry of this Court is directed to send a copy of this order to the Branch Manager of the aforementioned Bank for compliance. SURESH KAIT, J.

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