

Smt Dulari Devi and ors. Vs. Pooran Chand and ors.

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Court : Delhi

Decided On : Mar-24-2014

Judge : Suresh Kait

Appellant : Smt Dulari Devi and ors.

Respondent : Pooran Chand and ors.

Judgement :

\$~29 * IN THE HIGH COURT OF DELHI AT NEW DELHI Judgment delivered on:

24. h March, 2014 % + CM(M) 284/2014 SMT DULARI DEVI & ORS. Represented by: Petitioners Mr.Anshuman Bal, Advocate. Versus POORAN CHAND & ORS. Represented by: Respondents Mr.K.L. Nandwani, Advocate for Respondent No.3/Insurance Company. CORAM: HON'BLE MR. JUSTICE SURESH KAIT SURESH KAIT, J.

(Oral) CM No.5230/2014 (for exemption) Exemptions allowed, subject to all just exceptions. The application stands disposed of. CM(M) 284/2014 1. Notice issued.

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

3. With the consent of the parties, the instant petition is taken up for final disposal.

4. Vide the instant petition, the petitioners are seeking direction to release the amount lying deposited in FDR with State Bank of India, Saket Courts Branch, New Delhi, in their favour.

5. Learned counsel appearing on behalf of the petitioners submits that the petitioners are living in temporary kachcha house and during rains and cold weather; it is difficult to live in the said house. Therefore, the petitioners need money to build a pucca house, however, they do not have sufficient amount for the said purpose.

6. For the same relief, the petitioners have moved an application before the learned Tribunal, which was dismissed vide order dated 20.01.2014, hence the present petition.

7. Keeping in view the averments made in the petition and the submissions made by learned counsel for the petitioners, I direct the Branch Manager of the aforementioned Bank to release a sum of Rs.1,00,000/- each in favour of the petitioners on taking necessary steps by them.

8. I here make it clear, that if the amount being released is not sufficient for completion of the construction, the petitioners are at liberty to move an application before the learned Tribunal for releasing further amount on furnishing the photographs of the construction.

9. In view of the above, the petition is allowed.

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

MARCH24 2014 Sb/jg

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