

Runna Vs. Vth Additional District Judge/Motor Accidents Claims Tribunal

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Court : Allahabad

Decided On : Aug-29-1996

Reported in : 1999ACJ637

Judge : M. Katju, J.

Appeal No. : C.M.W.P. No. 27782 of 1996

Appellant : Runna

Respondent : Vth Additional District Judge/Motor Accidents Claims Tribunal

Advocate for Def. : Standing Counsel

Advocate for Pet/Ap. : Piyush Mishra, Adv.

Disposition : Petition allowed

Judgement :

M. Katju, J.

1. Heard learned Counsel for the parties.

2. The petitioner's husband died in a motor accident and she was awarded a sum of Rs. 75,000 by the Lok Adalat and the amount has been deposited by the insurance company in court. By the impugned order dated 16.5.1996 it has been directed that only Rs. 10,000 be paid to the petitioner out of the aforesaid amount

of Rs. 75,000 and the balance be deposited in some nationalised bank for a long term. I cannot understand how such order could be passed by the trial court. There is no dispute that the petitioner is a major and hence it is for her to decide what to do with the money which has been awarded. Hence I set aside the order dated 16.5.1996 and direct that the sum of Rs. 75,000 and any interest which may have accrued thereon be paid to the petitioner forthwith.

3. Petition is allowed. No order as to costs.

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