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Bharatram Vs. Abul Murad and Others

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Court : Chhattisgarh

Decided On : Jan-05-2001

Reported in : 2002ACJ1405; 2001(1)MPHT17(CG)

Judge : Mr. R.S. Garg, J.

Appeal No. : Civil Revision No. 53/2000

Appellant : Bharatram

Respondent : Abul Murad and Others

Advocate for Pet/Ap. : Shri Sanjay K. Agrawal, Adv.

Disposition : Revision Allowed

Judgement :
ORDER

R.S. Garg, J.

1. Heard.

2. The grievance of the present applicant appears to be that the amount of interim compensation has not been paid in full. 80% of the same has been deposited in the Bank. According to the applicant, he has number of liabilities to meet and he needs money for his treatment. The entire amount must be paid to him.

3. Number of authorities and the earlier judgment of this Court show that the amount of the interim compensation is always paid to the person so that he can run his life smoothly meet the expenses and is not required to beg from others though having good and sufficient amount in his Bank. The submissions of the learned counsel that the applicant is required to meet certain exigencies and needs money for his further treatment cannot be said to be absolutelyperverse or irrational. Even otherwise, judgment of the Supreme Court in matter of General Manager, Kerala State Road Transport Corpn. v. Susamma Thomas and others (1994 ACJ 1) is in relation to the final disbursement of the amount and does not relate to the interim compensation. As the respondents are not interested in the disbursement of the amount and the manner in which it is to be disbursed, it is not necessary to issue notice to the other side. The petition is allowed. The entire amount deposited by the respondents be paid to the petitioner. C.C. Today.

4. Civil Revision allowed.

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