

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 5310/2007

SMT. BATTI & ANR. Vs. M.A.C.T., DEEG & RS.

DATE: 31.07.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. L.L. Gupta with
Mr. Hemendra Goyal for the petitioners.

This writ petition is directed against the order dated 14.03.2007 passed by the Motor Accident Claims Tribunal, Deeg, District Bharatpur (for short 'the Tribunal'), by which payment of amount of interim award has not been disbursed to the petitioners and out of Rs. 50,000/-, Rs. 20,000/- have been ordered to be deposited in saving account and the remaining amount of Rs. 30,000/- has been ordered to be kept in fixed deposit for six years.

This order has been challenged by the petitioners placing reliance on the judgment rendered by this Court in the case of **Smt. Preeto Bai Vs. Motor Accident Claims Tribunal, Deeg, District Bharatpur**, dated 15.01.2007, reported in 2007(1) WLC (Raj.) 788 and further in the case of **Smt. Sakunat And Ors. Vs.**

M.A.C.T. Deeg And Ors., dated 18.04.2007, reported in 2007(2) WLC (Raj.) 746, wherein this Court has held that "Interim Award- Release of amount- Tribunal ordering release only Rs. 14,945 out of Rs. 50,000/- directing balance to be placed under fixed deposit- Condition of deposit not applicable to interim award meant for immediate relief- Order of Tribunal set aside."

Having considered the submissions made by the learned counsel for the petitioners in view of ratio decided by this Court in the aforementioned cases, the petitioners are given liberty to move application before the Motor Accident Claims Tribunal, Deeg, District Bharatpur in view of the ratio decided by this Court and the Tribunal shall order to release the total amount of interim award of Rs. 50,000/-.

With these observations, the writ petition stands disposed of.

(K.S. RATHORE),J.