

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Civil Writs No. 14324/2016

1. Smt. Phooli Devi Widow Of Shri Ramesh, By Caste Saini (Mali), Aged About 40 Years, Sikandara Tehsil Sikarai Distt. Dausa
2. Rekha D/o Shri Ramesh, By Caste Saini (Mali), Aged About 21 Years, Sikandara Tehsil Sikarai Distt. Dausa
3. Reena D/o Shri Ramesh, By Caste Saini (Mali), Aged About 19 Years, Sikandara Tehsil Sikarai Distt. Dausa
4. Shbham S/o Shri Ramesh, By Caste Saini (Mali), Aged About 16 Years, Sikandara Tehsil Sikarai Distt. Dausa
5. Priyanshu S/o Ramesh, By Caste Saini (Mali), Aged About 12 Years, Sikandara Tehsil Sikarai Distt. Dausa

----Petitioners

Versus

6. Rajesh S/o Umraw Lal, By Caste Ahir, Aged About 31 Years, Dhani Shyoramvali Tehsil Bansur Distt. Alwar Truck Vehicle No. Rj 14 - Gc- 5727
7. Ratanlal Jaat S/o Ghasiram By Caste Jaat, Dhani Holi Wali, Ward No. 18, Tehsil Shahpura, Owner Of The Truck No. Rj14 - Gc - 5727
8. The New India Insurance Co. Ltd., Nehru Palace Tonk Road, Jaipur - 302015 Insured Vehicle No. Rj14-Gc-5727
9. Ramkaran S/o Panchu, Aged About 57 Years, Village Sikandara Tehsil Sikarai Distt Dausa
10. Ramli Devi W/o Ramkaran, Aged About 53 Years, Village Sikandara Tehsil Sikarai Distt Dausa

----Respondents

For Petitioner(s) : Mr. SK Singodiya, Adv.

HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Judgment / Order

23/03/2018

1. Application was filed by the petitioner seeking premature release of an amount of Rs.2,75,000/- deposited in the FDR out of the order passed by the Lok Adalat on the basis of compromise relating to an accident claim. The premature release has been sought for the purpose of marriage expenses of daughter of the petitioner. The application has been dismissed by the learned Tribunal vide order dated 12/07/2016.

2. It is noted that a sum of Rs.4,75,000/- had already been released earlier to the petitioner. The amount deposited in the FDRs is for the purpose of social security of the widow. This Court is of the firm view that unnecessary expenses which are incurred in marriages should be curtailed and this Court does not encourage citizens to incur unnecessary expenses in marriages.

3. In India, the modern trend of spending huge amount in conducting marriages has become a fashion and people have started competing with each other. Status of families is being recognized with relation to the manner in which expenditure has been incurred in the marriages. Such actions result in the people having lost money or no means and are put into a stage of despair. The State Government and the Union Government ought to take ofl the matters on the legislative side for taking steps to put certain restraint on such expenditure being incurred in spite of the fact that there is always a provisions under the law for getting the marriages solemnized in Court and similar custom was already available in the ancient time where marriages were being simply solemnized in the temples. A family, living in penury and the only surviving source available is the compensation amount received on account of death of the earning member, cannot be allowed to waste the amount for spending in marriage functions.

4. In the circumstances, the present writ petition filed by the petitioner is dismissed. However, the Social Welfare Department of the State is directed to make available all facilities for conducting of marriage of the daughters of the petitioner-widow if such an application is moved by her.

(SANJEEV PRAKASH SHARMA),J

Raghu167



सत्यमेव जयते