



CR No. 1500 of 2023 (O&M) **1**

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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**CR No. 1500 of 2023 (O&M)
DATE OF DECISION :- 05.09.2025**

Sukhwinder Singh (Since Deceased) through his legal heirs

...Petitioner

Versus

Union of India

...Respondent

CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Mr. Ujval Mittal, Advocate for the petitioner.

Mr. Aditya Dassaur, Advocate for UOI.

VIRINDER AGGARWAL, J. (Oral)

C.M. No. 20283-CII of 2024

This is an application for preponement of the date of hearing of the main appeal.

Learned counsel for the applicant-petitioner submits that the main case is fixed for 16.09.2025 and it be taken up to some early date.

Heard.

The application is allowed. The main case is taken up on Board today itself.



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1. Vide this petition under Article 227 of the Constitution of India petitioner seeks modification of the Award dated 18.01.2203 passed by Railway Claims Tribunal, Chandigarh in OA-llu-CDG/2022/60 has been sought.
2. Briefly stated, petitioner sustained injuries in Railway accident on 09.06.2022. He preferred a claim petition before Railway Claims Tribunal, Chandigarh Bench, Chandigarh which was allowed and a compensation of Rs.8 lakh along with interest at the rate of 9% from the date of incident was awarded but while passing the Award the Tribunal directed that only 10% of the amount of the compensation be disbursed to the petitioner and remaining 90% amount be kept in fixed deposit in the name of petitioner for a period of three years. The condition imposed by the Tribunal is arbitrary and against the very purpose of granting compensation.
3. Notice of motion was issued to respondent. Mr. Aditya Dassaur, Advocate appeared on behalf of the respondent.
4. I have heard arguments made by learned counsel for the parties and gone through the file carefully.
5. Vide Award dated 18.01.2023, 90% of the Award amount was ordered to be kept in fixed deposit for a period of three years with liberty to withdraw monthly interest. Learned counsel for the petitioner submitted that the condition imposed is arbitrary and amounts to negation of the rights of the petitioner, as petitioner remains in dire need of money.
6. Learned counsel for the respondent submitted that no interference is required in the well reasoned order.



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7. The condition having been imposed is totally uncalled for and is against the interest of the petitioner who got injured in Railway accident and has been granted compensation but he is not able to use that compensation.

8. So the revision petition is allowed and impugned Award is modified and the entire amount of compensation be released to the petitioner with immediate effect along with interest, if not withdrawn.

9. Since the main appeal stands decided, the miscellaneous application(s), if any, stand disposed of accordingly.

(VIRINDER AGGARWAL)
JUDGE

05.09.2025

P.Singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No