

Misc. Case No. 68A of 2020 Smt. Kavita Sharma and ors. Vs. Hitech Construction Co. Ltd. and ors. related MACP No. 443 of 2016
08.08.2020

The case has been presented before the Tribunal in Virtual Court on 07.08.2020. Due to the increasing prevalence of COVID-19, Ld. Counsel for applicant has been heard through video conferencing.

Perused the application 3B supported by the affidavit of applicant Vaibhav Sharma and record of the Misc. case No. 68A of 2020, which makes it clear that the compensation of Rs. 30,30,120 was awarded by the MACT/ADJ Court No. 7 Jhansi on 12.04.2019 in the MACP No. 443 of 2016. Out of the total compensation, Vaibhav Sharma shared Rs. 5,00,000 in the form of cash and Rs. 5,00,000 in the form of fixed deposit for 3 years. Applicant has prayed that he requires money for treatment of his wife. Medical papers submitted by the applicant reveals that his wife Akanksha is suffering from horse shoe kidneys. The medical paper also shows that he had complained of pain in the lower abdomen and it was found that some infection in the urinary tract persists.

Horse shoe kidneys if asymptomatic usually do not cause major problems but if symptoms do appear, cardio-vascular disease and even cancer are likely to develop. In this scenario, I am of the view that Rs. 1,00,000 should be released before maturity of the fixed deposit so that the applicant's wife can undergo investigation of cancer and other treatment.

ORDER

Syndicate Bank Jhokan Bagh Jhansi is ordered to break the FD of Vaibhav Sharma No. **SBP643627** and transfer Rs. 1,00,000 (one lac) in the bank account of Vaibhav Sharma No. 92352010005622 Govind Chouraha Jhansi branch through electronic mode and make fresh FD of remaining amount for 3 years in the name of Vaibhav Sharma.

(Presiding Officer)

MACT, JHANSI