



2025:DHC:5535



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of Decision: 09.07.2025***+ **CM(M) 1166/2025**

NEERAJ JAIN

.....Petitioner

Through: Mr. Amit Srivastava, Ms. Akanksha  
and Ms. Uzma, Advocates

versus

TEHSIN &amp; ORS.

.....Respondents

Through: None.

**CORAM:****HON'BLE MS. JUSTICE TARA VITASTA GANJU****TARA VITASTA GANJU, J.: (Oral)**

1. This Court by an Order dated 08.07.2025, had passed the following directions:

“3. The present Petition has been filed under Article 227 of the Constitution of India read with Section 151 of the Code of Civil Procedure, 1908 [hereinafter referred to as “CPC”] impugning the award dated 27.01.2025 passed by the learned Presiding Officer, MACT (East) Karkardooma Courts, Delhi [hereinafter referred to as “Impugned Award”]. By the Impugned Award, the learned Tribunal has dismissed the Application seeking pre-mature release of the FDRs issued in the name of the Petitioner.

4. None appears for the Petitioner despite the matter being called out twice today.

5. A review of the Impugned Award shows that the Petitioner has sought pre-mature release of the FDRs giving a ground that he is unemployed and has no source of income. The learned Tribunal has examined this matter and found that a sum of Rs. 4 lacs have already been released to the Petitioner on 03.01.2024 and five FDRs in the sum of Rs. 1,70,000/- each were pre-maturely released on 13.05.2024.

5.1 The learned Tribunal has thus found that approximately, a sum of Rs.12,00,000/- has already been released in favour of the Petitioner till date. In these circumstances, it was held that given the fact that the amounts have already been released, no reason is found for pre-mature release of the remaining amounts. It is apposite to set out the Impugned Award in this behalf which is set out below:

“Submissions heard. Record is perused. This is an application moved by petitioner No.1 **seeking pre-mature release of the FDRs issued**



**in his name in terms of order dated 03.01.2024. It is mentioned in the application that petitioner No.1 is unemployed and has no source of income and he wants to run a small self employed business of manufacturing of use and throw plastic/thermal plates and tea cups and he requires to purchase some manufacturing machines and he has also made advance payment of Rs.1,25,000/- for purchase of the machines. It is therefore, prayed that 3 FDRs for a sum of Rs. 1,70,000/- each issued in the name of petitioner No.1 may be released to the petitioner No.1. Compensation in the present matter was granted in case MACP No.351/21 for the demise of his wife Shweta Jain. Further, approximately a sum of Rs.4 lakhs was released to the petitioner No.1 on 03.01.2024. admittedly, on application of the petitioner No.1, five FDRs for a sum of Rs.1,70,000/- each was prematurely released in favour of petitioner No.1 on 13.05.2024. The order on disbursement of compensation was done after hearing to the applicant and there is no change of circumstances since then. Approximately a sum of Rs.12 lakhs has already been released in favour of the petitioner No.1 till date. Directions have already been passed vide order dated 03.01.2024 for the purpose of regularly releasing of FDRs amount in his bank account and procedure for releasing of money in installments has been made. I find no cogent ground for breaking the FDR and premature release of remaining compensation.**

Considering the contents and procedure of MACT, the purpose of releasing the money in installments would be defeated if the award amount of petitioner shall be released to her in one go. Thus, the application filed by PetitionerNo.1 stands dismissed.

File be consigned to Record Room.

Copy of order be given dasti.”

[Emphasis supplied]

6. None appears for the Petitioner.
7. In the interest of justice, list on 09.07.2025.”

2. Learned Counsel appearing on behalf of the Petitioner affirms that the Petitioner has already withdrawn Rs. 12 lakhs and approximately Rs. 8 lakhs remain of the entire awarded amount, which he seeks to withdraw by this present Petition.

3. After some arguments, learned Counsel appearing for the Petitioner seeks and is granted liberty to withdraw the present Petition.



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4. The Petition is dismissed as withdrawn.
5. The parties shall act based on the digitally signed copy of the order.

**TARA VITASTA GANJU, J**

**JULY 9, 2025**

***g.joshi***