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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% *Date of decision: 08th January 2026*

+ **CM(M) 33/2026 & CM APPL. 950/2026.**

OMPAL SINGH (NOW DECEASED) THR LR AND ANR

....Petitioners

Through: Mr. Manish Kr. Sharma, Adv.

versus

DHARAM KUMAR SAHU AND ORS

.....Respondents

Through: Ms. Shruti Jain, Adv. for Insurance
Company.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

JUDGMENT

ANISH DAYAL, J: (ORAL)

1. This petition has been filed under Article 227 of the Constitution of India assailing order dated 26th November 2025 passed by the Motor Accidents Claims Tribunal ('*MACT*') in MISC.APPL. 1050/2025, in *MACT* No.86/2022 seeking directions to the Branch Manager, UCO Bank, KKD/Meerut for transferring/release of FDR No.20780311566717 in favour of petitioner, which is lying in the name of her husband, namely, late *Sh. Ompal Singh*, who has now passed away on 29th September 2025.

2. Petitioner is the mother of deceased *Sh. Sumit Kumar*, who met with an accident on 19th March 2021, and passed away on 27th September 2021 due to the injuries suffered by him in the accident. The parents of the deceased, late *Sh. Ompal Singh* and *Smt. Ramesh Devi* (petitioner no.2



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herein) filed MACT No.86/2022 before the Tribunal. The same has been decided by order dated 24th April 2024 and an amount of *Rs.27,01,067/-* along with interest @ 8% from the date of filing of the petition till realization had been awarded.

3. In compliance of the said award, the insurance company/respondent no.3 deposited the awarded amount with the Tribunal, and the same has been partially released in terms of the order of 24th July 2024 in favour of the petitioners.

4. As per the award, an amount of *Rs.12 Lakhs* each in favour of late *Sh. Ompal Singh* and *Smt. Ramesh Devi* has been kept with UCO Bank, Karkardooma in the form of an FDR for five years with quarterly interest accruing on the amount of the FDRs; quarterly interest accrued being credited in the respective Savings Bank Accounts.

5. It is stated by counsel for petitioner no.2, that her husband late *Sh. Ompal Singh* underwent a heart surgery in September 2025, but despite the best treatment could not be cured and died on 29th September 2025 at *Meerut, U.P.* The applicant approached the Bank for withdrawal of the cash amount which is quarterly credit in the Savings Bank Account and encashment of FDR bearing No. 20780311566717 dated 09th August 2024 of *Rs.12 Lakhs*, lying in the name of her husband, but the bank officials declined the request stating that they require proper directions from the Court.

6. Petitioner filed MISC.APPL. 1050/2025 before the Tribunal requesting for such directions, but the same was disallowed by the Tribunal on the basis that the Tribunal have no jurisdiction since the estate of the deceased would be only settled after obtaining Succession Certificate from



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the concerned Court.

7. Counsel for petitioner has drawn attention to the Death Certificate, which is placed on record, as well as the Aadhar Cards of late *Sh. Ompal Singh* and *Smt. Ramesh Devi*.

8. Further, the Court has perused the certificate issued by the *Gram Pradhan* of *Village Tajpur Simbhalka, PS Kotwali, District Shamli, U.P.* It is stated in the certificate that late *Sh. Ompal Singh* had three children - one *Amit* died on 18th April 2024 and one *Sumit* who died on 27th March 2021 in the accident. The only heirs since surviving are late *Sh. Ompal Singh's* wife, *Smt. Ramesh Devi* and the daughter one *Shivani*, whose marriage was solemnized on 30th June 2017. The *Gram Pradhan* states that he knew the family well and *Smt. Ramesh Devi* continues to reside in the village.

9. No Objection Certificate (*NOC*) in the form of an affidavit has also been placed on record on behalf of *Shivani*/the daughter stating that she has no objection to the amount lying in UCO Bank account of the late father being transferred in favour of mother/*Smt. Ramesh Devi*.

10. *Smt. Shivani* through VC confirmed her *NOC* which was furnished by way of an affidavit. She states that, she has no objection to the amount being released in the name of her mother *Smt. Ramesh Devi*.

11. Accordingly, since they have no other legal heirs and there is a No Objection by the daughter, in the circumstances of the case, there should be no impediment, to direct the amount which is held in the name of late *Sh. Ompal Singh* to be released in favour of *Smt. Ramesh Devi*, the wife.

12. This is also proper in the facts and circumstances of the case, considering the claim was awarded in favour of the parents, who should be entitled to the said compensation and should have the benefit of the same.



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13. A request has been made for an amount of *Rs.5 Lakhs* to be released considering that considerable expenses were incurred during heart surgery of late *Sh. Ompal Singh*.

14. Accordingly, the following directions are passed:

- (i) The FDR No.20780311566717 be liquidated and from said amount *Rs.5 Lakhs* be released in favour of *Smt. Ramesh Devi* into her Savings Bank Account in Account No. 20780110215609 at *UCO Bank Kutchery Road Meerut*.
- (ii) An FDR be created for the balance amount in the name of *Smt. Ramesh Devi* with quarterly interests being remitted to the Savings Bank Account no. 20780110215609 of *Smt. Ramesh Devi*.
- (iii) Amount which is lying in the Savings Bank Account No. 20780110215630 with *UCO Bank Kutchery Road* of late *Sh. Ompal Singh* be transferred to the account of *Smt. Ramesh Devi*.

15. *Ms. Shruti Jain*, Counsel appears on behalf of the insurance company and states on instructions that she has no objection in this matter.

16. Accordingly, the petition stands disposed of.

17. Pending applications, if any, also stand disposed of as being rendered infructuous.

18. '*Dasti*'

19. Judgment be uploaded on the website of this Court.

ANISH DAYAL, J

JANUARY 8, 2026/MK/zb