

GAHC010149192023



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : MFA/57/2023

TUNI ROY AND 4 ORS.
W/O LT. SHYAMAL ROY,
R/O DHUPGURI, P.O. AND P.S.- DHUPGURI, DIST.- JALPAIGURI, PRESENTLY
RESIDING AT RANGIA, JYOTINAGAR, NEAR RANGIA RLY STATION, DIST.-
KAMRUP, ASSAM.

2: MOUSUMI ROY
D/O LT. SHYAMAL ROY

R/O DHUPGURI
P.O. AND P.S.- DHUPGURI
DIST.- JALPAIGURI
PRESENTLY RESIDING AT RANGIA
JYOTINAGAR
NEAR RANGIA RLY STATION
DIST.- KAMRUP
ASSAM.

3: JAOYDEB ROAY
W/O LT. SHYAMAL ROY

R/O DHUPGURI
P.O. AND P.S.- DHUPGURI
DIST.- JALPAIGURI
PRESENTLY RESIDING AT RANGIA
JYOTINAGAR
NEAR RANGIA RLY STATION
DIST.- KAMRUP
ASSAM.

4: LALURAM ROY
S/O LT. DALIM ROY

R/O DHUPGURI

P.O. AND P.S.- DHUPGURI
DIST.- JALPAIGURI
PRESENTLY RESIDING AT RANGIA
JYOTINAGAR
NEAR RANGIA RLY STATION
DIST.- KAMRUP
ASSAM.

5: AMBALA ROY @ ABALA ROY
R/O DHUPGURI
P.O. AND P.S.- DHUPGURI
DIST.- JALPAIGURI
PRESENTLY RESIDING AT RANGIA
JYOTINAGAR
NEAR RANGIA RLY STATION
DIST.- KAMRUP
ASSAM

VERSUS

THE UNION OF INDIA
REP. BY THE GENERAL MANAGER, SOUTHERN RAILWAY, CHENNAI.

Advocate for the Petitioner : MS J KALITA

Advocate for the Respondent : DY.S.G.I.

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

Date : 10-01-2024

Heard Ms. J Kalita learned counsel for the appellant. Also heard Mr. CKS Baruah learned counsel for the respondent.

The Railway Claims Tribunal in OAIU-67/2022 (old) awarded an amount of Rs.8,00,000/- along with interest @ 9% to five persons.

The Tribunal has directed that the appellant Tuni Roy shall be paid Rs.2,40,000, Shri Laluram Roy shall be paid Rs.1,40,000/-, Smti.

Ambala Roy shall be paid Rs.1,40,000/-, Ms. Mousumi Roy shall be paid Rs.1,40,000 and Joydeb Roy shall be paid 1,40,000/-.

By filing the present appeal the said claimants have submitted that Mousumi Roy and Joydeb Roy are minors and therefore, the money given to them should be kept fixed deposited for a period of three years.

The appellants further submitted that the compensation amount given to Tunj Roy, Laluram Roy and Ambala Roy be paid to them directly.

Mr. CKS Baruah learned counsel for the respondent submits that the respondent has no objection if the prayer of the appellant is allowed. Accordingly the prayer of the appellant is allowed.

The money given to Mousumi Roy and Joydeb Roy shall be kept fixed deposited in a nationalized bank for a period of three years. The money given to Tunj Roy, Lalauram Roy and Ambala Roy shall be paid to them without any delay.

With the aforesaid direction, the appeal stands closed.

JUDGE

Comparing Assistant