

GAHC010178992023



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

Case No. : MFA/67/2023

CHAIMAN NESSA
W/O LT. CHIDDIK ALI,
VILL.- KAPAUJARI, P.S.- MAYONG, DIST.- MARIGAON, 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.

B E F O R E
HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

17.05.2024

Heard Ms. J. Kalita, learned counsel appearing for the appellant. Also heard Ms. A. Sharma, learned counsel appearing for the Union of India represented the Railway.

This is an appeal under Section 23 of the Railway Claim Tribunal Act, 1987

challenging the judgment and order dated 30.06.2023 passed by the learned Railway Claims Tribunal, Guwahati Bench in OAIU-102/2022.

In the original application, the Tribunal awarded the compensation of Rs. 8,00,000/- along with interest at the rate of 8 % per annum. Thereafter, the Tribunal is directed that out of the total amount of Rs. 8,00,000/- only Rs. 2,00,000/- shall be released in favour of the appellant and the remaining amount shall be kept as fixed deposit in the Bank for three years.

The appellant has submitted that she is 60 years of age and keeping the remaining Rs. 6,00,000/- as fixed deposit to denial of compensation.

I have decided to agree with the appellant.

Therefore, the impugned judgment and order dated 30.06.2023 passed by the Tribunal stands modified. The appellant shall be disbursed with a total amount of Rs. 8,00,000/- without any riders.

With the above observation and direction, this appeal stands disposed of.

JUDGE

Comparing Assistant