

**HIGH COURT OF TRIPURA
AGARTALA**

I.A No. 01 of 2021
In MAC App. No. 41 of 2010 (D/O)

For Applicant(s) : Mr. P. Saha, Adv.

For Respondent(s) : None.

HON'BLE MR. JUSTICE S.G. CHATTOPADHYAY
Order

10/12/2021

This petition has been filed seeking withdrawal of the amount of compensation granted in favour of the petitioner namely, Mst. Basirun Nessa @ Batirun by this court in MAC App. No.41 of 2010(D/O). The award granted by the tribunal was enhanced by this court holding as under:

"10. Therefore, the total compensation works out to Rs.2,52,000/- (Rs.10,000/- + Rs.5,000/- + Rs.34,000/- + Rs.5,000/- + Rs.1,08,000/- + Rs.20,000/- + Rs.50,000/- + Rs.20,000/-). The award is accordingly enhanced from Rs.39,001/- to Rs.2,52,000/- i.e. by Rs.2,12,999/-. Since the insurance company has already satisfied the award it is directed to pay the enhanced amount along with interest @ 7.5% per annum from the date of filing of the claim petition till deposit of the same. The amount be deposited in the Registry of this Court within 3 (three) months from today."

[2] Thereafter, the petitioner filed an application before this court for release of her compensation which was disposed of by order dated 29.09.2015 passed in I.A 297 of 2015 which reads as under:

"Heard.

This is an application for release of the amount.

The insurance company has deposited a sum of Rs.3,11,475/-. The claimant is a lady. Therefore, it is not advisable to release the entire amount in her favour. It is, therefore, directed that out of the amount so deposited a sum of Rs.61,475/- be released in favour of the applicant by remitting it to her personal Bank account details whereof along with photocopy of the first page of the passbook be submitted in the Registry of this Court within 2(two) weeks from today. The rest amount Rs.2,50,000/- shall be kept in a fixed deposit for a period of 3(three) years and the interest accruing thereupon shall be paid to the applicant on quarterly basis by remitting it to her Bank account. Thereafter a sum of Rs.50,000/- shall be released in each year in favour of the claimant till the entire amount is paid to her.

The CM application is accordingly disposed of."

[3] It is contended by Mr. P. Saha, learned counsel of the petitioner that though it was directed by this court to release a sum of Rs.50,000/- in favour of the petitioner annually, no amount has actually been released in her favour till date.

[4] Since, the term of 3 years from 29.09.2015 has elapsed, the Registry is directed to release the entire amount in favour of the appellant petitioner within a period of 12 days from today with interest accrued thereon by transferring the money to her individual bank account on verification of her identity.

In terms of the above, the I.A is disposed of.

JUDGE