

Party Name : MASTER SANJOY ACHARJEE Vs THE STATE OF TRIPURA & ORS

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HONBLE THE CHIEF JUSTICE DEEPAK GUPTA

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This is an application for release of the amount on behalf of the minor.

In the award while enhancing the compensation from Rs.2,25,000/- to Rs.20,00,000/-, this Court had found that the minor-claimant would be virtually disabled for the rest of his life. Therefore, the following directions were issued:-

*"22. The State of Tripura is directed to deposit the entire awarded amount in the Registry of this Court within a period of 3(three) months from today. On the amount been deposited a sum of Rs.2,00,000/- shall be released in favour of the father. The rest of the amount shall be kept in a 4(four) separate Fixed Deposits of equal value for a period of 5(five) years at the first instance. The interest accruing on these Fixed Deposits shall be paid on quarterly basis to the father to meet the expenses of the child. In case the father decides to take the child for treatment outside the State and produces evidence with regard to the amount of money required then this Court on an application being moved in this behalf can release a reasonable amount in favour of the father.*

*23. This court is purposely keeping the amount in a fixed deposit because it is not certain whether this child can earn properly after he grows up and, therefore, he may be dependent on this amount of compensation for a large portion of his life and it would be better that the principal is kept intact and he lives out of the interest in future."*

I see no reason to vary these directions and, therefore, this petition is dismissed.

Only the amount of Rs.2,00,000/-, as already ordered, shall be released in favour of the father of the minor.

CM Application stands disposed of.