

Party Name : BABUL PODDER Vs NARAYAN CH. DAS & ANR

HONBLE THE CHIEF JUSTICE DEEPAK GUPTA

This is an application for release of the awarded amount deposited by the respondent No.2. While allowing the appeal, this Court had passed the following order:

“** After the amount is deposited, a sum of Rs.1,00,000/- shall be released to the claimant and the rest shall be kept in a fixed deposit for a period of ten years and only the interest thereon shall be released to the claimant on quarterly basis to meet his day to day expenses. This order is being passed because now the claimant shall be dependent on this amount alone for the rest of his life and if he spends away this amount he will be unable to look after himself. It shall, however, be open to the claimant to approach this Court for release of a reasonable amount if required for treatment or for any other purpose which the Court feels just and proper to release the amount.”**

It is now prayed that the accident took place in the year 2002 and that the applicant-appellant has become physically disabled and the amount of Rs.79,322/- which has now been deposited by the respondent No.2, Insurance Company in addition to the amount earlier deposited may be released in favour of the applicant-appellant.

Keeping in view the averments made in the application, the same is allowed and it is ordered that the entire amount lying in deposit along with interest accrued thereupon be paid to the applicant-appellant by remitting it to his 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 CM application is disposed of.