

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Civil Application [CAF] No.204 of 2021
in
First Appeal No.502 of 2014 (D)

Meharunisa wd/o Shaikh Kasam & another
vs.

Union of India, its General Manager, Central Railway, C.S.T. Mumbai

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*Office notes, Office Memoranda of
 Coram, appearances, Court's orders
 or directions and Registrar's orders.*

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Court's or Judge's Orders

Shri S.K. Sable, Advocate for the Applicants/Appellants.
Shri N.P. Lambat, Advocate for the Respondent sole.

CORAM : S.M. MODAK, J.

DATE : 6th APRIL, 2021

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

This Court while disposing of the First Appeal No.502/2014 was pleased to apportion the amount in between mother-appellant No.1 and minor daughter-appellant No.2. Appellant No.1 has already received the amount as contended by learned Advocate Shri Sable for the appellants. 50% of the amount was ordered to be deposited in the name of appellant No.2 till the time, she attains the age of majority. The Railway Claims Tribunal has made deposit of Rs.2,66,608/- in the name of appellant No.1-Meharunisa wd/o Shaikh Kasam. It is submitted that, in fact, this amount belonging to appellant No.2 and it was a mistake on the part of the Railway Claims Tribunal to make a deposit in the name of mother in her personal capacity rather than as a natural

guardian. The respondent is not having any objection for releasing the amount.

Appellant No.2 has attained the age of majority and her date of birth is 22nd December, 2000. A copy of School Leaving Certificate is annexed. Therefore, the amount can be returned to her. Hence the order :

- i. The Office of Railway Claims Tribunal is directed to transfer the amount of Rs.2,66,608/- along with accrued interest by asking the Central Bank of India to mature the deposit and transfer the amount in the name of appellant No.2-Ku. Muskan d/o Shaikh Kasam.
- ii. Appellant No.2 is directed to give bank details.
- iii. The Railway Claims Tribunal is directed to do compliance after following the office procedure.
- iv. The application is disposed of accordingly.

JUDGE

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