

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

FIRST APPEAL NO.272 OF 2020

APPELLANT:

Orig. Claimant
(On R.A.)

Smt. Saraswati Wd/o. Shankarrao Bisandre,
Aged – 66 years, Occu. - Household,
R/o. Ward No.4, Pala, Tah. Morshi,
Dist. Amravati (M.S.)

... Versus ...

RESPONDENT:

Orig. Non-applicant
On R.A.

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

Shri K.U. Fule, Advocate for the Appellant.
Shri Z.S. Shekhani, Advocate h/f Shri R.G. Agrawal, Advocate for Respondent-sole.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE OF JUDGMENT : 22nd FEBRUARY, 2021

ORAL JUDGMENT:-

In view of the order dated 21/02/2020, the matter is taken up for final disposal at the stage of admission.

02] The Appellant, who was the original claimant in Claim Application No.O.A.(IIU)/NGP/152/2016, has filed this appeal challenging the direction of the Railway Claims Tribunal to deposit the balance amount

of Rs.7,00,000/- in fixed deposit and further directions not to issue Cheque Book and A.T.M. Card to the Appellant.

03] I have perused the records and considered the submissions advanced by learned Counsel for respective parties. It is seen that the Railway Claims Tribunal has awarded total compensation of Rs.8,00,000/- to the Appellant - widow of Shankarrao Bisandre who died in a train accident, in an untoward incident. Learned Counsel for the Appellant stated that she is 66 years old. It is further stated that she requires the money for medical expenses.

04] Considering the age of the Appellant and the financial needs, the operative part of the impugned judgment and award is modified as under:

- i. An amount of Rs.2,00,000/- with accrued interest thereon is ordered to be paid to the Appellant and the balance amount of Rs.6,00,000/- is ordered to be invested in any Nationalized Bank for a period of six years. The interest accrued on the said fixed deposit shall be deposited in the savings account of the Appellant.
- ii. Directions to the Bank not to issue Cheque Book and A.T.M. Card are set aside.

iii. The impugned judgment and awards stands modified accordingly.

05] Civil Application (CAF) No. 996/2020 praying for grant of early hearing does not survive. It is disposed of accordingly.

(SMT. ANUJA PRABHUDESSAI, J.)

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