

IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No.406 of 2022

Smt. Burundi Sabar and Others* *Appellants

Mr. Pradeep Kumar Mishra, Advocate

-versus-

***Union of India, represented through
General Manager, South Central Respondent
Railway, Secunderabad***

Mr. S. Panda, Central Government Counsel

**CORAM:
JUSTICE B. P. ROUTRAY**

**ORDER
22.11.2022**

Order No.

I.A. No.632 of 2022

- 01.
1. The matter is taken up through Hybrid mode.
 2. Heard Mr. P.K. Mishra, learned counsel for the Appellants and Mr. S. Panda, learned Central Government Counsel for Respondent - Union of India.
 3. Upon hearing both parties and considering the grounds mentioned in the limitation application, the delay in filing the appeal is condoned.
 4. The I.A. is disposed of.

FAO No.406 of 2022

- 02.
5. Heard Mr. Mishra, learned counsel for Appellants and Mr. Panda, learned CGC for Respondent - Union of India.

6. It is submitted on behalf of the Appellants that challenge in present appeal against the direction of keeping 90% of the compensation amount in fixed deposit is covered by a similar judgment of this court.

7. It is admitted by both parties that the challenge in the present appeal is squarely covered by the decision of this Court rendered in FAO No.262 of 2020 and batch, disposed of on 9th September, 2021.

8. Accordingly, present appeal is disposed of in terms of the principles decided in said decision of this Court with a direction to disburse entire compensation amount in favour of the claimants by keeping 50% of shares fall due to Appellant Nos.1 and 3 (Smt. Burundi Sabar and Chaitanya Sabar) in fixed deposits separately in their names respectively in any Nationalized bank for a period of five years and the total amount fall due to the share of minor Appellant No.2 (Samonath Sabar) shall be kept in fixed deposit in any Nationalized Bank till he attains majority or for a period of five years, whichever is later.

9. With aforesaid observation and direction, the FAO is disposed of.

10. Urgent certified copy of this order be granted on proper application.

(B.P. Routray)
Judge