

IN THE HIGH COURT OF ORISSA AT CUTTACK
FAO No.242 of 2021

Chandrakanti Puta ***Appellant***

Mr. B.N. Samantaray, Advocate

-versus-

***Union of India, represented through its
General Manager, East Coast Railway,
Bhubaneswar and Others*** ***Respondents***

Mr. S.B. Panda, Central Government Counsel

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
20.12.2022

Order No.

- 09.
1. The matter is taken up through hybrid mode.
 2. Heard Mr. B.N. Samantaray, learned counsel for the claimant – Appellant and Mr. S.B. Panda, learned Central Government Counsel for Respondent – Union of India.
 3. The claimants have come up in the present appeal challenging the direction of the learned tribunal passed in OA(IIU)/17/2016 wherein the tribunal has directed 80% of the amount fall to the share of the widow to be kept in fixed deposit for a period of five years.
 4. Upon hearing both parties and perusal of the impugned it reveals that there are five claimants who are the widow and minor son and daughter of the deceased. The tribunal while awarding the amount, has directed that total amount fall to the share of minors be kept in fixed deposit till they attain majority and 80% of the amount given to the widow to be kept in fixed deposit for a period of five

years. The extent of amount given to the widow, which is directed to be kept in fixed deposit, is challenged by the appellant.

5. The tribunal has directed to keep the amount in the fixed deposit with liberty for encashment of the quarterly interest amount. Mr. Samantaray submits for the Appellant that since the widow has incurred loans after demise of her husband, she needs more cash amount to repay the loan.

6. Considering the submissions, the direction of the tribunal is modified to the extent that 50% of the amount paid in favour of the present appellant Chandrakanti Puta be kept in fixed deposit. It goes without saying that rest of the conditions contained in the direction of the tribunal remains unaltered.

7. With the aforesaid observations and directions the appeal is disposed of.

8. An urgent certified copy of this order be issued as per rules.

(B.P. Routray)
Judge