

IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No.732 of 2020

Champeswari Oram and others ***Appellants***
Ms.Deepali Mohapatra, Advocate

-versus-

Union of India ***Respondent***
Mr.P.S.Nayak, Advocate

CORAM:
JUSTICE B. P. ROUTRAY

ORDER
28.07.2022

Order No.

06.

1. The matter is taken up through Hybrid mode.
2. Heard Ms.Mohapatra, learned counsel for the Appellant and Mr.Nayak, learned counsel for Respondent-Union of India. It is submitted on behalf of the appellant that challenge in the present appeal is against the direction of keeping 90% of the compensation amount in fixed deposit and is covered by a similar judgment of this court. So the delay in filing the appeal may be condoned and the matter may be disposed of on merit. Mr.Nayak, learned counsel for Union of India also agrees with this submission. Accordingly, the delay in filing the appeal is condoned and the matter is taken up for final disposal.
3. It is submitted by Ms.Mohapatra that in the meantime, Claimant no.2, namely, Mangara Oram, father of the deceased (who died in the accident) on 25th November, 2020. Since all

other L.Rs of the deceased are already on record, no further substitution is required.

4. As stated earlier, the limited challenge in this appeal is with regard to the direction of the tribunal for keeping 90% of the compensation amount in fixed deposit.

5. 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 2022 and batch, disposed of on 9th September, 2021.

6. Accordingly, the present appeal is disposed of in terms of the principles decided in the said decision of this Court. In support of the death of Mangara Oram, the death certificate has been filed and as such, the Appellants-claimants, being the legal heirs of the deceased, are entitled for the entire compensation amount as per the direction of the tribunal. The total compensation amount be disbursed in favour of the claimants in the ratio of 50% to the wife (Appellant No.1) and 25% each to Respondent Nos.2 and 3. Further, 50% of the share of each be kept in fixed deposit in any Nationalized bank in the name of respective parties for a period of five years.

(B.P. Routray)
Judge