

Party Name : SMT. TULSI GHOSH & ORS Vs NATIONAL INS. CO. LTD

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HONBLE THE CHIEF JUSTICE DEEPAK GUPTA

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By means of this application the claimants have prayed for release of the amount of interest and have further prayed that the amount payable to Smt. Tulsi Ghosh who was the mother of the deceased should be paid to her son Chandan Kr. Ghosh. The application is neither signed by Smt. Tulsi Ghosh nor is it accompanied by any affidavit of Smt. Tulsi Ghosh. This Court cannot order the payment of an amount by one claimant to the other unless that claimant specifically comes forth and gives reasons. Furthermore, under Section 8(7) and 8(8) of the Women's Compensation Act it is the duty of the Court to protect the interest of those claimants who are women or minor children and therefore, in my opinion this prayer cannot be accepted. The same is accordingly rejected. The amount falling to the shares of claimants 1, 3 and 4 who are women shall be deposited in a fixed deposit for the period of 3(three) years at the first instance and interest payable thereupon shall be paid on quarterly basis to the claimants by remitting it to their Bank accounts. As far as the share of Sri Chandan Kr. Ghosh is concerned, that may be released to him by remitting it to his Bank account details whereof alongwith photocopy of the first page of the passbook be submitted in the Registry of this Court within 2(two) weeks from today. The application is accordingly disposed of.