



2026:DHC:6988



*** IN THE HIGH COURT OF DELHI AT NEW DELHI**

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RAVENDRA SINGH & ANR. Appellants
Through: Mr. Rajan Sood, Ms. Ashima
Sood & Ms. Megha Sood,
Advocates

versus

UNION OF INDIA Respondent
Through: Ms. Saroj Bidawat, CGSC,
Mr. AkashChatterjee, SPC
and Ms. Sadhna Sandhu,GP
for UOI.

**CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI**

JUDGMENT

1. The present appeal has been filed under Section 23 of the Railway Claims Tribunal Act, 1987 against the judgment dated 25.02.2026 passed by the Railway Claims Tribunal, Principal Bench, *Delhi* (hereinafter referred to as the "Tribunal") in Claim Application No. OA/II(u)/DLI/817/2025 titled as "Sh. Ravendra Singh & Anr. vs. Union Of India".

2. The brief facts of the case, as set out before the Tribunal, are that on 12.12.2024, one *Anuj Pratap Singh* (hereinafter referred to as "the deceased") was travelling from *Aligarh* to *Rajghat Narora*,



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on the strength of a valid journey ticket bearing no. ACA-84121116. It is averred that during the course of the aforesaid travel, when the train reached the *Atrauli* railway station, the deceased fell from the train and died instantaneously at the spot.

3. *Vide* the impugned judgment, the Tribunal dismissed the claim application filed by the appellants herein on the ground that the deceased was neither a *bona fide* passenger nor did the alleged incident qualify as an “untoward incident” as defined under the Railways Act, 1989 (hereinafter referred to as the “Act”).

4. Learned counsel for the appellants assailed the impugned judgment contending that the Tribunal failed to appreciate that the journey ticket, though not recovered from the person of the deceased, was subsequently found in his bag and verified during the DRM inquiry. It was submitted that the discrepancy regarding the destination in the RPF diary could not outweigh the said ticket and the testimony of AW-1. Reliance is placed on “Union of India v. Rina Devi”¹. Learned counsel further submitted that the Guard of Train No. 04378 had not witnessed the deceased falling from the train and that the Station Master’s memo merely recorded information of a person having been run over, without establishing that the deceased was travelling in Train No. 04378 or was trespassing upon the track.

5. *Per contra*, learned counsel for the respondent submitted that no ticket was recovered during the *jamatalashi* and that the ticket was produced for the first time with the claim application after

¹ (2019) 3 SCC 572



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nearly seven months. It was contended that the statement of AW-1/ *Ravendra Singh* regarding the destination was not reliable. It was further submitted that the first information was regarding a person having been run over by Train No. 04378 and that there was no evidence establishing that the deceased had fallen from Train No.04375 or that the occurrence constituted an untoward incident.

6. A perusal of the proceedings would show that it is an admitted fact that no ticket was recovered at the time of the incident. However, a ticket was produced along with the claim application. As per *Rina Devi* (supra), the law regarding the non-recovery of the journey ticket is well settled. The initial burden resting upon the claimants is only to place on record the relevant facts and circumstances to establish *bona fide* travel, whereafter the onus shifts upon the Railway Administration to rebut the same by leading cogent evidence. This principle was reiterated by the Supreme Court in “*Lata v. Union of India*”².

Applying the aforesaid principle to the facts of the present case, Sh. *Ravendra*/AW-1, father of the deceased, has categorically deposed that the deceased was travelling by a passenger train from *Aligarh* to *Rajghat Narora* on the strength of a valid journey ticket bearing no. ACA84121116. During the cross-examination as well, the stand of AW-1 has remained consistent with the material particulars and he has further stated that he found the ticket in the bag that the deceased was carrying. The said bag is recovered during *jamatalashi*. The Tribunal has discarded the testimony of

² 2026 SCC OnLine SC 1350



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AW-1 principally on the ground that the ticket was belatedly introduced along with the claim application, that during cross-examination he admitted that he did not know the destination of the deceased until the bag was handed over to him and that the contemporaneous RPF diary records him giving a different destination, namely *Dadri*.

7. In the opinion of this Court, the aforesaid discrepancy regarding the destination, by itself, does not detract from the categorical assertion of AW-1. It is, however, also borne out from the record that the ticket relied upon by the appellants was subsequently verified during the DRM inquiry. The discrepancy in the initial information regarding the destination, therefore, cannot by itself be treated as sufficient to discard the ticket and the testimony of AW-1.

8. The next issue that arises for consideration is whether the deceased died in an “untoward incident” within the meaning of the Act. A careful consideration of the record would show that the Tribunal’s reliance upon the statement of the Guard as *res gestae* evidence is misplaced, particularly when the Guard himself was never examined before the Tribunal. His alleged statement forms part of the DRM Report and, significantly, does not state that he actually witnessed anyone falling from the train; it merely records that he heard an unidentified voice stating that a person had fallen. Even if the said statement is taken into consideration, it, therefore, does not establish either that the deceased was “run over” by Train No. 04378 or that he had fallen from the said train.



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9. In addition to the aforesaid, the Tribunal's reliance upon the timing of the trains, by itself, is also insufficient to establish the manner of occurrence. The record shows that Train No. 04375 passed *Atrauli* at about 12:34 hours, whereas Train No. 04378 passed *Atrauli* at about 13:26 hours and the body of the deceased was found at about 13:50 hours. The mere fact that the body was discovered approximately two hours thereafter does not, by itself, negate the possibility of an accidental fall from the train.

10. Lastly, there is no cogent evidence on record to establish that the deceased was walking upon, crossing, or otherwise unauthorisedly present on the railway track so as to bring the case within any statutory exception under Section 124-A of the Railways Act. The respondents have not produced any eyewitness or other reliable evidence establishing a manner of occurrence inconsistent with an accidental fall. In the absence of such evidence or any applicable statutory exception, the Tribunal ought not to have rejected the claim on the basis of investigative discrepancies.

11. In view of the foregoing discussion and considering the peculiar facts and circumstances of the present case, the deceased is held to have been a *bona fide* passenger and the occurrence is held to fall within the ambit of an "untoward incident" within the meaning of the Act.

12. Accordingly, the impugned judgment is set aside and the matter is remanded back to the Tribunal, which is requested to assess the amount of compensation payable to the appellant in accordance with law and direct the authorities concerned to disburse



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the same within two months from the receipt of a copy of this order. For this purpose, the matter be listed before the Tribunal at the first instance on 09.09.2026.

13. The appeal is allowed and disposed of in the above terms.

14. A copy of this judgment be communicated to the learned Tribunal.

(MANOJ KUMAR OHRI)
JUDGE

AUGUST 20, 2026

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