

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 146 of 2014 (O/M)
Date of decision : 8.9.2015

Sh. Sunil Kumar

..... Revisionist

Versus

U.O.I. Through its General Manager, Northern Railway, Baroda
House, New Delhi

..... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Parminder Singh, Advocate, for the revisionist.

Mr. Sandeep Vermani, Advocate, for respondent.

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KULDIP SINGH, J. (ORAL)

Impugned in the present revision is the order dated 1.11.2013, passed by the Railway Claims Tribunal, Chandigarh Bench, Chandigarh (in short 'the Tribunal'), vide which the application of the present revisionist for amendment of the claim petition was dismissed. By way of amendment, the revisionist wants to correct the date of accident from 1.6.2010 to 8.6.2010.

It is stated that the revisionist was run over by a train and his right foot and left leg were amputated. He mentioned the date of accident in the claim petition as per the police papers, but as per the papers of the hospital, the date of accident was different.

CR No. 146 of 2014 (O/M)

-2-

After hearing the learned counsel for both the parties, I am of the view that the proceedings under Railway Claims Tribunal are in the nature of social welfare legislation. The learned counsel for the revisionist does not want to lead any fresh evidence in the matter. The case is already matured. The Tribunal can always ascertain as to what was the date of accident, even if some wrong date was mentioned in the claim petition. It being so, the proposed amendment is allowed. However, the fact that earlier wrong date was mentioned can always be taken into consideration by the Tribunal, while passing the final award.

The present revision is accordingly allowed.

(KULDIP SINGH)
JUDGE

8.9.2015
sjks