

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Appeal No.566 of 2014

=====

1. Chinta Devi W/o - Late Jay Chandra Mahato @ Bhutukun Mahato Resident of Village - Jalgobind, P.S. - Barh, Distt. - Patna.

.... Appellant/s

Versus

1. The Union India, Through The General Manager, East Central Railway, Hajipur

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Anant Kumar-1

For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI

ORAL JUDGMENT

Date: 10-03-2016

Heard learned counsel for the appellant while learned counsel for the respondent is absent.

With regard to death of Jay Chandra Mahto @ Bhutukun Mahato on 19.06.2005 in an untowards incident which the deceased met in a capacity of being bona fide passenger on account of having valid ticket and further, fell down while travelling on a train in a way Rajendra Nagar Terminal Station to Barh, was rushed to PMCH where succumbed to injuries. After his death his brother gave statement whereupon U.D. Case No. 50 of 2005 was registered. Although applicant had filed instant petition claiming herself to be wife of deceased however, she failed to disclose how many heirs other than she were surviving who were dependent upon deceased.

Be that as it may, after going through the Lower Court

Record it is evident that appellant had not turn up before the tribunal to substantiate her claim nor any witness has been examined on her behalf and on account thereof, whatever been asserted at the end of the appellant in the claim petition is found non-corroborated at her own end due to the reason best known to her pleading on its own is no proof unless supported by event, reliable evidence.

As such, instant appeal lacks merit and is dismissed.

(Aditya Kumar Trivedi, J)

siddharth/-

U		T	
---	--	---	--