

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.291 of 2015

In
MA 342 of 2010

Manju Devi Singhanian Wife of Late Gouri Shankar Singhanian Resident of
Mohalla - Mundichak, P.O. - Ishachak, P.S. - Ishachak, District -
Bhagalpur.

.... Petitioner/s

Versus

The Union of India, Through General Manager, Eastern Railway, Kolkata
(West Bengal)

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Dharendra Nath Jha

For the Respondent/s : Mr. Vijay Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 13-01-2016 Heard Sri Dharendra Nath Jha, learned counsel for the
petitioner and Sri Vijay Kumar Sinha, learned counsel, who has
appeared on behalf of respondent/ Railway.

The present petition has been filed with a prayer to
modify the order dated 8.4.2013 passed in Miscellaneous Appeal
No. 342 of 2010. While the said Miscellaneous Appeal was
allowed with a direction to the respondent/ Railway to pay
compensation amount as indicated in the order dated 8.4.2013,
learned counsel for the petitioner submits that in Miscellaneous
Appeal Union of India through General Manager, Eastern
Railway, Kolkata (West Bengal) was impleaded as respondent,
however, the Eastern Railway was bifurcated after filing of the

claim case and as such, due to inadvertence instead of impleading General Manager , East Central Railway, Hazipur (Bihar) in the memo of Appeal the General Manager, Eastern Railway , Kolkata (West Bengal) was impleaded. He submits that of- course Appeal was allowed but the fruits of the order is not being given to the petitioner on the plea that direction was earlier issued to the General Manager , Eastern Railway, Kolkata (West Bengal). Fact remains that claim was filed against the Indian Railway and after hearing the parties, detail order was passed in Miscellaneous Appeal No. 342 of 2010 on the basis of entire material available on record. The court considers that the present application is required to be allowed and same is allowed. The order dated 8.4.2013 passed in Miscellaneous Appeal No. 342 of 2010 so far as position of respondent is concerned is modified and in place of Union of India through General Manager, Eastern Railway, Kolkata (West Bengal), it may be read as Union of India through General Manager, East Central Railway, Hazipur (Bihar).

The present petition is allowed.

(Rakesh Kumar, J)

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