

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

C.R. No.5494 of 2016

Date of Decision.30.09.2016

Aniket son of late Shri Bhuaneshwar

.....Petitioner

Vs.

Union of India and others

.....Respondents

Present: Mr. Surinder Sharma, Advocate
for the petitioner.

Ms. Kulwant Kaur Kahlon, Advocate
for respondent No.1.

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AMIT RAWAL J. (ORAL)

Learned counsel for the petitioner submits that case No.OA-II/198/2013 filed by the claimants including the petitioner on account of death of one Bhuvaneshwar and the same was disposed of vide order dated 18.12.2015. However, the name of one of the claimants was Aniket but inadvertently the name was mentioned as Ankit. In this regard, application was moved for correction of the name but the same has been dismissed.

Ms. Kulwant Kaur Kahlon, learned counsel appearing for the contesting respondent submits that the application moved before the Railway Tribunal was not supported by any affidavit, much less, was not verified. The application should have been accompanied by some proof. The order under challenge is perfectly legal and justified.

I have heard learned counsel for the parties and appraised the paper book. I am of the view that no doubt the petitioner had not been diligent in moving application at the time when OA was pending but even after passing of the order, the application for correction was not accompanied by affidavit or any verification, much less, wanting any proof.

In case any application is filed along with proof, prima facie, satisfying the conscience of the Tribunal that there was actual inadvertence in mentioning the name as Ankit instead of Aniket, the Railway Claims Tribunal, Chandigarh shall pass fresh order uninfluenced by the order dated 07.06.2016 i.e. the order under challenge in the present revision petition.

The revision petition is disposed of with the above observations.

(AMIT RAWAL)
JUDGE

September 30, 2016
Pankaj*

Whether reasoned/speaking Yes

Whether reportable No