

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

223

CR No.3806 of 2016 (O&M)

Date of decision: 06.10.2017

Yakub Masih

..... Petitioner

Versus

Union of India

..... Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Upender Prashar, Advocate
for the petitioner.

None for the respondent.

ANIL KSHETARPAL, J. (ORAL)

Petitioner has filed this revision petition challenging the orders dated 07.07.2015 and 19.04.2016.

Petitioner had filed a claim petition before the Railway Claims Tribunal at Chandigarh asserting that his father died in an accident.

By way of impugned order, the opportunity to the plaintiff to lead evidence was closed by the order of the Court. Application filed for recall of that order has also been dismissed.

Railway Claims Tribunal had been set up for redressal of grievances of the persons who have either suffered injury or their near one has died in an accident. In such cases, the Tribunal is required to be more considerate towards the cause of justice. The cause of justice should not be throttled merely on technicalities.

Keeping in view the fact that the petitioner had lost his father, this Court deems it appropriate to grant one opportunity to the petitioner to

produce his entire evidence on the date to be fixed by the Railway Claims Tribunal. The orders under revision are set aside.

Learned counsel for the petitioner has informed the Court that the case was adjourned sine die. Petitioner would be at liberty to move an application for taking up the case along with the certified copy of the order.

Railway Claims Tribunal shall grant one effective opportunity to the petitioner to produce his entire evidence.

Revision petition is allowed.

06.10.2017
Dinesh Bansal

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No