

THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD

C.M.A.No.782 OF 2012

JUDGMENT:

This appeal is preferred against order dated 04.08.2011 passed in OAA No.84 of 2007 by the Railway Claims Tribunal, Secunderabad Bench to grant interest from the date of filing the claim petition till the date of realization @ 6% per annum.

2. Applicants herein submitted application to Railway Claims Tribunal claiming compensation of Rs.4,00,000/- for the death of Dugasani Nadipi Narayana Reddy in an untoward incident of accidental fall from the train No.6012, Chennai-Dadar, with ticket No.03905459 between Mangapatnam and Kondapuram stations at KM 335/607 due to jerks and negligent speed.

3. Railways resisted the claim application of the claimants.

4. Basing on the contentions, the tribunal examining AWs.1 and 2 and marking Exs.A1 to A.6 on behalf of the claimants and examining RW.1 and marking Ex.R.1 on behalf of the railways, granted compensation that the deceased died in an untoward incident of accidental fall from the train and that the deceased was a bonafide passenger.

5. Learned standing counsel for the Railways submitted that the order passed by the tribunal is well considered and needs no interference of this Court and prayed to dismiss the appeal.

6. A perusal of the material available on record and having regard to the facts and circumstances of the case, the claimants filed appeal before the tribunal with delay of 260 days and that the delay application was ordered on 30.07.2007. Therefore, the

claimants are entitled for the interest from 31.07.2007 to till the date of realization.

7. With the above observation, the appeal is disposed of. There shall be no order as to costs.

Miscellaneous Petitions, if any, shall stand closed.

T.AMARNATH GOUD,J

Dated 06.12.2019
kvrn

