

THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD

C.M.A.No.860 OF 2012

JUDGMENT:

This appeal is preferred by the railways against order dated 17.08.2001 passed in I.A.No.48 of 2000 by the Railway Claims Tribunal, Secunderabad Bench, whereby the tribunal dismissed the application for condone the delay in filing the appeal on the ground that the claimants have not properly explained delay.

2. It is the case of claimants that on 14.07.1998 while the deceased along with some other relatives was proceeding from Manchiryal to Kazipet by train No.322 fast passenger, the deceased got down at Odela Railway Station to have some snacks and when he boarding the train, he slipped and fell down due to sudden jerks and movement of the train and sustained severe injuries on his right leg and other injuries, immediately he was shifted to MGM Hospital, Warangal, where he succumbed to the injuries and that they have no knowledge to claim compensation and that they are financially weak also not having good health to the 1st claimant

3. Railways resisted the application of the claimants to condone the delay of 364 days.

5. Learned counsel for the claimants contended that the 1st claimant was the wife and the 2nd claimant is daughter of the deceased and that they have no knowledge to claim compensation and prayed to condone the delay in filing the claim petition.

6. Learned counsel for the claimants submitted that the order passed by the tribunal is well considered and needs no interference of this Court and hence, prayed to dismiss the appeal.

7. A perusal of the material available on record and having regard to the facts and circumstances of the case, the claimants failed to explain the inordinate delay of 364 days in filing the claim application and hence, the tribunal rightly dismissed the application as such the appeal is liable to be dismissed.

8. Accordingly, the appeal is dismissed. There shall be no order as to costs.

Miscellaneous Petitions, if any, shall stand closed.

Dated 03.01.2020
kvrn

T.AMARNATH GOUD,J

