

THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD

C.M.A.No.870 OF 2012

JUDGMENT:

This appeal is preferred by the applicant against order dated 17.04.2012 passed in OAA No.42 of 2005 by the Railway Claims Tribunal, Secunderabad Bench.

2. Appellant submitted application to the Railway Claims Tribunal claiming compensation for the injuries sustained in an untoward incident occurred on 20.02.2005 while traveling from Rukmapur to Tandur by train No.360 with valid ticket, which was lost.

3. Railways resisted the claim application of the claimant.

4. Basing on the contentions, the tribunal after examining AW.1 and marking Exs.A1 to A.7 on behalf of the claimant and examining RWs1 and 2 and marking Ex.R.1 on behalf of the respondents and after hearing railways dismissed the application.

5. Learned counsel for the claimant contended that the tribunal failed to appreciate the evidence available on record in granting compensation and hence, prayed to grant just compensation.

6. Learned standing counsel for the Railways submitted that the order passed by the tribunal is well considered and needs no interference of this Court.

7. A perusal of the material available on record and having regard to the facts and circumstances of the case, the tribunal has rightly dismissed the application of the applicant after appreciating the evidence of RWs.1 and 2 and material available, particularly

Ex.R.1 and hence, the appeal fails and the same is liable to be dismissed.

8. Accordingly, the appeal is dismissed confirming the order dated 17.04.2012 passed in OAA No.42 of 2005 by the Railway Claims Tribunal, Secunderabad Bench. There shall be no order as to costs.

Miscellaneous Petitions, if any, shall stand closed.

Dated 10-01-2020
kvrn

T.AMARNATH GOUD,J

