

IN THE HIGH COURT OF ORISSA AT CUTTACK
FAO No.85 of 2022

Aparajita Khamari

....

Appellant

Mr. Sabyasachi Mishra, Advocate

-versus-

*The Railway Claims Tribunal,
Bhubaneswar Bench and Another*

....

Respondents

Mr. D. Gochayat, Central Government Counsel

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
13.10.2022

Order No.

- 06.
1. The matter is taken up through hybrid mode.
 2. Heard Mr. S. Mishra, learned counsel for the appellant and Mr. D. Gochayat, learned Central Government Counsel for Union of India.
 3. The claim application preferred by the Appellant – injured claimant has been rejected on the ground of delay by the Railway Claims Tribunal, Bhubaneswar Bench in order dated 29th December, 2021. This is the subject matter of challenge before this Court.
 4. Upon hearing Mr. Gochayat and perusal of the impugned order under Annexure-1 reveals that though the accident took place on 21st March, 2015, but the claim application was preferred on 20th July, 2021. It is further seen that no step was taken on many occasions before the tribunal.
 5. This is a case of injury claimed by the applicant allegedly sustained in an untoward incident. The injured-claimant attributes the

reasons for delay on her lawyer that he did not take any step in time to prefer the claim application. The claimant is not an illiterate woman. Rather she is an educated person as submitted by the learned counsel for the Appellant. Therefore, such ground mentioned in not preferring the appeal in time and that too after six years, is not found satisfactory. Accordingly, this court is not inclined to interfere with the order. The appeal is dismissed.

(B.P. Routray)
Judge

M.K.Panda

