

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

First Appeal No. 657 of 2021

The Union of India,
Through General Manager
Central Railway, C.S.T.
Mumbai.

.... Appellant

.. Versus ..

Premkumar S/o. Shri Dilip Naik
age 25 years, Occ. - Student,
R/o. 129, Warud Sevagram,
Wardha, Maharashtra – 442102.

.... Respondent

Ms Neerja G. Chaubey, Advocate for the appellant
Mr. K. P. Mirache, Advocate for the respondent

CORAM : SMT. M. S. JAWALKAR, J.
DATED : 22-07-2022

ORAL JUDGMENT

The present appeal is filed by the Union of India through General Manager, Central Railway, Mumbai being aggrieved by the judgment and order passed in Claim Application No. OA-II(u)/NGP/0114/2018 dated 24-10-2019 passed by Railway Claims Tribunal, Nagpur.

2. I have heard the learned counsel for the appellant as well as learned counsel for the respondent. I have considered the evidence led

by the parties. On perusal of discharge summary, it can be seen that claimant was operated and there is amputation below knee of right side leg.

3. In evidence of claimant, he has categorically stated in cross-examination that amputation is of right leg from middle thigh 3 and 3.5 inch below knee. There is no rebuttal to this part of evidence and as such, order passed by the Railway Claims Tribunal granting compensation as per Schedule, Part (III), Entry 19 of Railway Accidents and Untoward Incidents (Compensation) Rules, 1990 is just and proper. The appeal, therefore, stands dismissed.

JUDGE

wasnik