

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

First Appeal No. 26 of 2021

Premkumar S/o Dilip Naik
Aged about 27 yrs, Occ-Nil
R/o 129, Warud Sevagram,
Dist. Wardha,
Pin Code – 442102.
Maharashtra.

.... Appellant

.. Versus ..

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

.... Respondent

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

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

ORAL JUDGMENT

The present appeal is filed by the claimant being aggrieved by the judgment and order passed in Claim Application No. OA-II(u)/NGP/0114/2018 dated 24-10-2019 passed by the Railway Claims Tribunal, Nagpur on the ground that the compensation awarded is inadequate. However, in view of the Railways Act, 1989, the amount is as per the Schedule Part (III), Entry 19 awarded for specific injury and it would depend on the injury suffered to the claimant. In view of the

judgment of Hon'ble Apex Court in the case of ***Union of India Vs. Rina Devi [AIR 2018 SC 2362]***, the amount cannot be given along with interest. As such, the prayer made in this petition cannot be granted.

2. The appellant is hereby permitted to withdraw the amount deposited by the respondent - Union of India along with accrued interest. First appeal accordingly stands dismissed.

JUDGE

wasnik