



IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No.161 of 2017

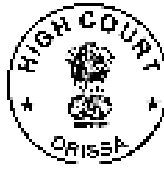
Sanjay Kumar Padhi and another ***Appellants***
Mr. R. Acharya, Advocate
-versus-
General Manager, South East Central ***Respondent***
Railway, Bilaspur, Chhatisgarh
Mr. B. Dash, Senior Panel Counsel for UoI

CORAM:
JUSTICE B. P. ROUTRAY

ORDER
24.07.2024

Order No.
10.

1. Heard Mr. R. Acharya, learned counsel for the Appellants and Mr. B. Dash, learned Senior Panel Counsel for Union of India-Respondent.
2. Present appeal by the claimants is directed against judgment dated 03.03.2017 of learned Railway Claims Tribunal, Bhubaneswar Bench in O.A. No.80 of 2012, wherein learned Tribunal has refused to grant compensation.
3. It is submitted on behalf of the Appellants that, 13 cases of different cause of actions and different incidents were clubbed together and disposed of by common judgment including the present case by the learned Tribunal without proper application of mind.
4. Present claim relates to O.A. No.80/2012 and it is seen from the impugned order that a common judgment has been



pronounced rejecting the claims relating to different incidents at different points of time. It is also submitted at the Bar that, in most of the cases involved in the common impugned judgment, this Court has remanded the matter for fresh adjudication to the Railway Claims Tribunal.

5. Considering all such aspects, present appeal is also disposed of by remanding back the claim of the Appellants in O.A. No.80 of 2012 to the Railway Claims Tribunal, Bhubaneswar with a direction to adjudicate the same afresh by granting opportunity of hearing to both the parties. The adjudication shall be completed within a period of four months from the date of appearance of the Appellants before the learned Tribunal, and the Appellants are directed to appear before the learned Tribunal on 12th August 2024 along with a certified copy of this order.

6. With the aforesaid observation and direction, the appeal is disposed of.

7. An urgent certified copy of this order be granted on proper application.

(B.P. Routray)
Judge

B.K. Barik