

Court No. - 4

Case :- FIRST APPEAL FROM ORDER No. - 25 of 2024

Appellant :- Sarvan

Respondent :- Union Of India Thru. General Manager North Eastern Railway Gorakhpur

Counsel for Appellant :- Manish Kumar Srivastava, Chandra Prakash Singh, Saroj Kumari

Hon'ble Rajnish Kumar, J.

Heard Sri Manish Kumar Srivastava, learned counsel for the appellant.

The claim petition filed by the appellant has been dismissed on the ground that in the claim petition the appellant had claimed that he was travelling from Burhwal to Biswan Railway Station while the incident had occurred at Mahmudabad Awadh station, whereas in his evidence he has stated that he was travelling from Nakaha jungle to Kanpur Central railway station from passenger train. An application for amendment was also moved stating therein that 'Bargadwa to Kanpur Central railway station' has inadvertently been mentioned in paragraph 2 (a) of the claim petition, whereas he was travelling from Nakaha jungle to Kanpur Central railway station. The application was dismissed by means of the order dated 01.08.2022, which has not been challenged. Accordingly, it has been found that the appellant has failed to prove that the appellant was travelling and met with the alleged accident.

Learned counsel for the appellant after arguing at some length submits that the appeal may be dismissed as not pressed as he could not give any explanation to aforesaid.

Dismissed accordingly as not pressed.

Order Date :- 15.2.2024

Akanksha