

Versus

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06 / Dated : 17.10.2025

1. Union of Inda through the General Manager, Eastern Central Railway is in appeal before this Court against the award of compensation passed by the Railway Claims Tribunal, Ranchi Bench in Case No. OA (IIU)/RNC/2/2024, whereby and whereunder, a compensation of Rs.8 Lakh has been awarded under Section 16 of the Railway Claims Tribunal Act, 1987 read with Section 123(c)(2) and Section 124-A of the Railways Act for the death of deceased Vasudeo Das in a railway accident.
2. As per the case of the claimants, deceased Vasudeo Das on 25.04.2019 proceeded on a railway journey from Jamtara to Ranchi after having purchased Ticket No. UTH 95281422 and with a return Ticket bearing No. UWE 24245494 from Ranchi to Jamtara. It is further case that because of excessive rush in the train, probably he changed the train and proceeded by Janshatabdi Express on 26.04.2019. He was supposed to get down at Gomoh railway station, however, his dead body was found on 27.04.2019 at about 8:00 am. at Chichaki Railway Station near Electric Poll No. 333/2009 which is at a distance of 30 km from

Gomoh station. Two railway tickets were found on his dead body by RPF personnel.

3. U.D. Case No. 15/2019 was registered. During trial, one of the claimants has been examined as the witness and the following documents were adduced into evidence:

- (i) Two original journey tickets-Ext. A-1
- (ii) Certified copy of Station Memo- Ext. A-2
- (iii) Certified copy of fardbayan-Ext. A-3
- (iv) Certified copy of Final Report-Ext. -A-4
- (v) Certified copy of Inquest Report- Ext. A-5
- (vi) Certified copy of post-mortem report- Ext. A-6
- (vii) Photo copy of Death Certificate- Ext. A-7
- (viii) Photo Copy of Family Details Certificate- Ext. A-8
- (ix) Photo copy of Aadhar Card of Ramani Devi
- (x) Photo copy of Aadhar Card of Rajani Kumar Das
- (xi) Photo Copy of Aadhar Card of Rajbir Kumar Das
- (xii) Photo Copy of Aadhar Card of Sulekha Kumari
- (xiii) Photo Copy of Aadhar Card of Sita Kumari
- (xiv) Mandate form of the applicants
- (xv) Photo copy of bank particulars of the applicants

4. The claim was contested by the Railway on the ground that the place from where the dead body was found i.e. Chichaki Railway Station was Gomoh-Gaya route and not the route of Ranchi to Jamtara and, therefore, there is no evidence on record to show that the deceased was travelling as a bona-fide passenger with valid ticket.
5. The Tribunal recorded a finding that there was every possibility that the deceased could not get down at Gomoh Railway Station to take another train and tried to alite at Chichaki Railway Station which was approximately at 33 km. from Gomoh resulting in the accident. The Tribunal discounted the possibility of any mala-fide, as the deceased was found to be carrying both, to and fro journey from Jamtara to Ranchi and back.
6. It is argued by learned counsel for the appellant that there is no cogent and convincing evidence to account for the dead body which was not enroute for which the ticket was purchased i.e. Ranchi to Jamtara. The deceased had no valid ticket to have reached the place of occurrence. Unless and until it is established that the deceased was a bona-fide

passenger for the relevant segment of the train route, the railways cannot be fastened with liability to pay the compensation.

7. Learned counsel for the claimants has defended the impugned judgment.
8. Having considered the submissions advanced on behalf of the appellant, the point for determination before this Court is whether there exists any ground to differ with the finding of fact recorded by the Tribunal.
9. It is a settled law that while exercising the appellate jurisdiction, if there are two views possible, then it is not open for the Appellate Court to take a different view than taken by the Tribunal/Trial Court. The undisputed facts that emerge on the basis of documentary evidence, is that the deceased was travelling with tickets. It is also not disputed that the dead body was found from the railway track near a railway station. As per fardbeyan (Ext. A-3), the death occurred due to railway accident. U.D. Case was registered which has been adduced into evidence and marked as exhibit. The evidence which has been brought on record on behalf of the railways includes the tickets which were recovered from the dead body found, as per inquest report, the cause of death was by fall from a running train, resulting in fatal injuries.
10. The cumulative effect of all the documentary evidences leads to an inescapable conclusion that the deceased was a bona-fide passenger and his death took place due to railway accident. I do not see any reason to differ with the finding as recorded by the learned Tribunal.

Under the circumstance, I do not find any merit in this misc. appeal, which is, accordingly, dismissed.

Pending, I.A., if any, stands disposed of.

(Gautam Kumar Choudhary, J.)

AKT/Satendra

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