



CR No. 4594 of 2022

1

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

251

CR No. 4594 of 2022

DATE OF DECISION :- 12.03.2025

Sukhvinder

...Petitioner

Versus

Union of India

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**Present:-** Mr. Atul Bhatia, Advocate for the petitioner.

Ms. Archana Vashisht, Advocate for
Mr. Gaurav Pathak, Senior Standing Counsel for UOI.

ANIL KSHETARPAL, J. (ORAL)

1. The order passed by the Railway Claims Tribunal refusing to condone the delay of 1471 days in filing the claim petition is assailed in this Revision Petition.

2. The petitioner has claimed that his both legs were amputated as he fell from train in which he was travelling. He did not have the financial resources to file the claim petition and he was also not aware of the procedure of filing the claim petition. It took him some time to arrange of necessary documents. In between there was Covid lockdown.

3. The application has been dismissed on the ground that the petitioner has failed to give any justifiable reason for such an undue delay.

4. While dealing with such matters the Court or Tribunal is expected to take a holistic view in the matter while having a pragmatic approach. Claim Tribunals have been constituted for the benefit of the claimants. This is a beneficial legislation which have been enacted by the



CR No. 4594 of 2022 2

parliament in order to fulfill the objective of justice to all. Hence, the Court was expected to adopt a positive approach while dealing with the matter. In this case the claimant lost his both legs in the accident and was under a severe financial crisis. Such reason was sufficient to condone the delay.

5. Moreover, the order passed by the Tribunal is a non-speaking order. The Railway is not disputing that the petitioner is suffering from financial crisis and has lost his both legs. Hence, the impugned order is set aside while condoning the delay in filing the claim petition. The parties, through their learned counsel are directed to appear before the Railway Claims Tribunal on 04.04.2025, which shall decide the case expeditiously.

6. Accordingly, the petition stands disposed of.

(ANIL KSHETARPAL)
JUDGE

12.03.2025
P.Singh

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No