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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ FAO 95/2019, CM APPL. 10758/2019 & CM APPL.
10760/2019

UMA DEVI & ORS

.....Appellants

Through: None.

versus

UNION OF INDIA

.....Respondent

Through: Ms. Pratima N Lakra, CGSC
with Mr. Chandan Prajapati,
Adv.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

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06.05.2025

1. No one appeared for the appellants when the matter was called.
2. It appears that no one appeared on behalf of the appellants on the last date of hearing i.e. 13.01.2025.
3. There is a delay of 199 days in filing the present appeal.
4. Having heard the learned counsel for the respondent and on perusal of the record, this Court has no hesitation in holding that the present appeal is bereft of any merit.
5. If the case of the appellants/claimants is considered, the deceased was probably travelling by some train on 26.12.2014 bound for his native village i.e. Chandpama, Distt. Muzaffarpur, Bihar but his dead body was recovered from a 'Nala' within the jurisdiction of P.S. Anand Vihar at about 12.30 hrs. recorded *vide* DD Entry No.15A on 28.12.2024.

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6. The learned Presiding Officer, Railway Claims Tribunal



(‘RCT’) rejected the claim of the appellants/claimants, thereby holding that there was no evidence on the record to show that the deceased had boarded any train, in particular ‘Licchvi Express’ while travelling to his native place in Muzaffarpur, Bihar. Anyhow, what prevailed in the mind of the learned Presiding Officer, RCT is that although *vide* DD No.19A, it was recorded that few articles viz. ₹10 in cash, some papers, an attendance card of Ram Babu besides a paper mentioning his phone number was recovered from the body of the deceased, no railway ticket was found on his person.

7. In the aforesaid circumstances, the learned RCT held that it is difficult to discern that the deceased was a *bonafide* passenger of any train besides observing that there was no evidence to suggest that he died in an ‘untoward incident’. The aforesaid reasoning does not appear to be suffering from any kind of illegality, perversity or incorrect approach in law.

8. Hence, the present appeal is dismissed. All pending applications are also disposed of.

DHARMESH SHARMA, J.

MAY 06, 2025

Ch/Es