

Court No. - 7

Case :- MATTERS UNDER ARTICLE 227 No. - 149 of 2025

Petitioner :- U.O.I Thru. General Manager Indian Railway
New Delhi And 3 Others

Respondent :- Daya Shanker Tiwari And Another

Counsel for Petitioner :- Deepanshu Dass

Hon'ble Pankaj Bhatia,J.

1. Heard learned Counsel for the petitioner.
2. The present application under Article 227 has been filed challenging the judgment and order dated 26.11.2024 passed by the National Consumer Disputes Redressal Commission, New Delhi in Revision Petition No.1382 of 2015.
3. The facts in brief are that the respondents, who are passengers in a train, was subjected to theft, for which, a claim was made before the District Consumer Forum. The said claim was allowed. The appeal preferred by the petitioners was dismissed by the State Commission. The petitioners aggrieved against the said two orders preferred a revision. In the revision, it was specifically argued by the revisionist that the petitioners as a Railway cannot made liable for the theft. The trial court considered the counterclaim as well as the scope of Section 100 of the Railway Act and the Rule 500 of Coaching Tariff No.24 Part-1 Vol. 1 and also considered the binding preceding including the judgment cited by the revisionist, proceeded to dismissed the revision.
- 4.The Counsel for the petitioners submits that the judgment of the Hon'ble Supreme Court in the case of Station Superintendent and another vs Surendra Bhola (Civil Appeal No.7116 of 2017; decided on 15.06.2023 as well as the judgment in the case of Vijay Kumar Jain vs Union of India and another (Special Leave to Appeal (Civil) Nos. 34738-34739 of 2012) decided on 02.07.2013, were not considered by the revisional court.
5. The order impugned, against that the revisional court, while passing the order, considered the earlier judgment as well as took note of the judgment of Surendra Bhola (Supra), and ultimately dismissed the revision.
6. It is fairly well settled that Article 227 is confined to the error

in decision making process. Prima facie, there is no error in decision making process. No good ground for interference is made out. The application under Article 227 is ***dismissed***.

Order Date :- 16.1.2025
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