

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.370 of 2023

Mosamat Kavita Devi @ Kabita Devi Widow of Late Rajeev Kumar @ Late Rajib Kumar, Resident of Village - Haibatpur, P.S. - Khushrupur, District-Patna.

... .. Appellant/s

Versus

The Union of India through the General Manager E.C. Railway, Hajipur.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Durgesh Nandan, Advocate
For the Respondent/s : Mr. Amarendra Nath Verma, CGC
Mr. Rakesh Kumar Singh, CGC

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

10 19-02-2026 Heard Mr Durgesh Nandan, learned counsel for the appellant and Mr. Amarendra Nath Verma, learned counsel representing the Railways.

2. The present appeal has been preferred:

*“against the order dated 11.02.2015
passed in Claim Application No. OA 00103/2008
(Computer No. 246/08) by Hon’ble Member
(Technical), RCT/Patna Bench.”*

3. Learned counsel for the Railways submitted that the claim was originally preferred by the father-in-law of the present appellant, namely Krishna Singh, who, according to the appellant, died on 29.06.2011. The record further indicates that ‘the Tribunal’, by order dated 11.02.2015, recorded that there was no representation on behalf of the claimant to prove the case.

4. In that background, the lady-appellant who is widow and who was not party to the said claim should have approached afresh before ‘the Tribunal’.



5. At this stage, Mr. Durgesh Nandan, learned counsel for the appellant, submits that admittedly, the father of the deceased had been pursuing the matter before ‘the Tribunal’ and, after his death on 29.06.2011, the present appellant was not substituted or brought on record. He therefore submits that liberty be granted to her to approach ‘the Tribunal’ afresh, satisfying it that due to the death of her father-in-law, the case could not be pursued further.

6. Granting said liberty, MA. No. 370 of 2023 stands disposed of.

(Rajiv Roy, J)

Adnan/-

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