

29.06.2026

Sl. No.7

Court No.9

Ali

IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE

FMA 224 of 2026

Suravi Barik & Ors.

Vs.

Union of India, General Manager, Eastern Railway

Mr. Navin Mittal

.... for the appellants/claimants.

Mr. Joydeep Sen,

Mr. Guddu Singh

...for the Union of India.

1. Learned advocates for the parties are present.

2. Heard the learned advocates for the parties.

3. This appeal is directed against the judgement and award dated 29.12.2025 passed by the learned Railway Claim Tribunal, Kolkata Bench, in O.A. (IIu)/KOL/0075/2025. The learned tribunal by the judgement and award dated 29.12.2025 was pleased to award Rs.8,00,000/- along with interest from the date of the judgement till date of the deposit.

4. The appellants/claimants being aggrieved by the judgment and award passed by the learned Claims Tribunal has come up with the instant appeal.

5. Heard learned advocate for the appellants and learned advocate for the respondent Union of India. Perused the evidences adduced and the materials on records.
6. Learned advocate for the appellants submits that the learned tribunal erred in not awarding interest from the date of accident. Learned advocate further relies upon the decision of the Hon'ble Supreme Court in the case of ***Union of India Vs. Rina Devi in Civil Appeal No.4945 of 2018*** and the decision of the Hon'ble Bombay High Court in the case of ***Smt. Urmila Sahu & Ors. Vs. Union of India Through General Manager.***
7. Learned advocate for the appellants submits that in terms of the decision of the Hon'ble Supreme Court and that of Hon'ble Bombay High Court the learned Tribunal ought to have awarded interest from the date of accident.
8. Learned advocate for the respondent Union of India submits that there was no laches on the part of Union of India in conducting the case thus the learned Trial Judge did not commit any error in awarding interest from the date of judgement.
9. Upon hearing the learned advocates and considering the decisions relied upon it appears that the Hon'ble Supreme Court has observed that interest can be awarded from date of accident itself when liability of

Railways arises up to date of payment, without any difference in stages. Hon'ble Supreme Court further observed that legal position in this regard is at par with cases of accident claims under Motor Vehicles Act, 1988.

10. As there is a provision to award interest pendente lite in Civil Suit and as per the observation of the Hon'ble Supreme Court that interest may be awarded upon following the provision as provided under the Motor Vehicle Act, 1988, this Court is of the view that it would be just and reasonable to award interest from the date of filing of the claim case till date of deposit of the compensation amount.
11. Thus, this instant appeal FMA 224 of 2026 stands disposed of. The judgement and award dated 29.12.2025 passed by the learned Railway Claim Tribunal, Kolkata in Claim Application No. O.A. (IIu)/KOL/0075/2025 stands modified to the extent that the appellants/claimants are entitled to compensation of Rs.8,00,000/- along with interest @ 6% per annum from the date of filing of the claim case till date of deposit.
12. This appeal stands disposed of.
13. The interest shall be deposit within eight weeks from the date of communication of this order before learned Registrar General, High Court, Calcutta. The

claimants/appellants will be entitled to withdraw the deposit upon compliance of all necessary formalities.

14. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Biswaroop Chowdhury, J.)