

01.04.2026
Court No.13
Item No. 9
pk

F. M. A. 4742 of 2015
CAN 1 of 2015(Old No:CAN 3930 of 2015)
CAN 3 of 2019 (Old No: 3648 of 2019)

The General Manager, South Eastern Railway
Administration

Vs.

Steel Authority of India Ltd., Bokaro Steel Plant, Bokaro,
Jharkand

Mr. Kaustav Banerjee,
Ms. Ria Kundu

... for the respondent.

1. The appellant is not represented on several dates. Despite whereof, adjournment is granted. The appellant is not represented today.
2. It appears that the appellant is no more interested in pursuing the instant appeal.
3. It also appears from the impugned judgment that the respondent/award holder was regularly transporting coal from Haldia to its Bokaro Steel Plant. Excess freight for 83 kms was demanded by the Railways and obtained from the award holder for transporting the goods between 1st July, 2002 and 31st July, 2002 from a longer route via Dankuni as opposed to the standard route via Kharagpur, Midnapore and Adra.
4. The Tribunal found no justification for the Railways charging the excess freight for 83 kms for transporting the goods via Dankuni which is a longer route by 83 kms.
5. The Tribunal for detailed reasons recorded in writing has directed the Railways to refund sum of Rs.99,58,866/- together with interest @ 9 per cent per annum from

18.02.2005. The evidence on record was duly analyzed by the Tribunal. Sufficient reasons by reference to decisions of the Odisha High Court have been relied upon to show the disentitlement of the Railways in claiming freight or covering the extra distance of 83 kms., outside the normal route of transportation via Kharagpur, Midnapore and Adra.

6. The appeal of the Railways is, therefore, not sustainable even on merits.

7. Accordingly, the instant appeal is dismissed. Consequently all connected pending applications, if any, are also dismissed.

8. The Registrar General of this Court shall make over to the Authorised Officer of the Steel Authority of India Limited/respondent all sums together with accrued interest deposited by the appellant/the General Manager, South Eastern Railway Administration pursuant to order dated 14th September, 2018 within a period of 15 days from the receipt of a copy of this order.

9. Any balance sum towards principal or interest recoverable by the award holder/ Steel Authority of India Limited may be recovered through execution of the award-in-question.

10. All parties shall act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Rai Chattopadhyay, J.)