

IN THE HIGH COURT OF JHARKHAND AT RANCHI**M.A. No. 398 of 2025**

Union of India through by the General Manager, Eastern Railway, Kolkata having Office at 17, Netaji Subhas Bose Road, P.O. Netaji Subhas Road, P.S.- Netaji Police Station, Kolkata -700001, West Bengal

.....Appellant(s)

Vrs.

1.Bhola Prasad Burnwal aged 70 years father of deceased Sunil Kumar Burnwal

2.Sumitra Devi Burnwal, aged about 64 years, Mother of deceased Sunil Kumar Burnwal

3.Madhuri Burnwal, aged about 45 years wife of deceased Sunil Kumar Burnwal

4.Aayushman, aged about 09 years, minor Son of deceased Sunil Kumar Burnwal, represented through his mother and natural guardian, Respondent No. 3 (Madhuri Burnwal)

All Resident of village/ Mohalla- Court Road Prem Dham, Post Office and Police Station- Jamtara, District-Jamtara-815351 (Jharkhand)

..... Respondent(s)

.....

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant(s) : Mrs. Nitu Sinha, Advocate

For the Respondents : Mr. Manish Kumar, Advocate

03/20.01.2026 The present appeal has been preferred by the Union of India against the judgment dated 18.12.2024 passed by the Learned Member Judicial and Learned Member Technical, Railway Claims Tribunal Ranchi Bench at Ranchi in Claim Application No. OA(11U)/RNC/4/2024 whereby the Tribunal has allowed the claim application of the dependent of the deceased i.e., applicants/ respondents herein directing the Respondents/ appellant to pay compensation amount of Rs. 8,00,000/- (Rupees Eight Lakhs only) to the applicants / respondents along with simple interest @ 9% per annum from the date of incident on 27.08.2023 till the date of judgment.

2. From the pleadings it appears that it has been claimed that the victim being a Bonafide passenger, suffered accident on 27.08.2023 while travelling through train having valid second-class journey ticket No. UTQ24283532.

3. The Railway Claim Tribunal has framed five issues, which read as under:

- 1. Whether this case comes under the jurisdiction of Ranchi Bench?*
- 2. Whether the deceased was Bonafide passenger as alleged?*
- 3. Whether the deceased died due to an alleged untoward incident?*
- 4. Whether the applicant or other dependents of the deceased are entitled to compensation?*
- 5. Relief?*

4. All the issues have been declared in favour of the victim and as such, the amount has been awarded.

5. Now the Railway authorities have filed the present appeal having a delay of 44 days. The delay in filing the appeal is only procedural in nature i.e., lethargic attitude of the Government.

6. So far as merit is concerned, it has been submitted by the learned counsel for the appellant that the body has been found in the loop line and it may have been caused due to other reason and not due to fall.

7. This is nothing but merely on the basis of conjecture and surmises, while the factual finding has been recorded by the Tribunal on the basis of materials on record. Paragraph no. 16 of the impugned judgment has been specifically stressed and I have gone through it.

8. Thus, the Railway Tribunal has rightly arrived at the findings so recorded and as such, this Court finds no reason to entertain the present appeal.

9. Accordingly, the present appeal stands dismissed.
10. However, delay in preferring the appeal is condoned and I.A. No. 11098 of 2025 to that effect stands allowed. Consequently, I.A. No. 11096 of 2025 seeking stay also stands disposed of.

(Rajesh Kumar, J.)

20.01.2026
A. Mohanty
Uploaded

____/____/2026