

IN THE HIGH COURT OF JHARKHAND AT RANCHI**M.A. No. 204 of 2024**

Union of India represented by, The General Manager, Eastern Railway, P.O.
and P.S. Garden Reach, District- Kolkata **Appellant(s)**

Vrs.

1. Etabari Saha, aged about 55 years, son of late Subodh Saha,
2. Dulari Devi aged about 38 years, wife of Sri Etabari Saha,
3. Jayanti Kumari, aged about 13 years, daughter of Sri Etabari Saha. The applicant No.3 being minor is represented through her natural guardian applicant No.2.

All resident of village Patharia, P.O. Patharia, P.S. Kotal Pokhar,
District: Sahibganj, **Respondent(s)**

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CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant(s)	: Mr. Ravi Prakash, Advocate
For the Respondent(s)	: Mr. Vijay Shankar Jha, Advocate Mr. Abhishek Sharan, Advocate

05/16.02.2026 I.A. No. 12325 of 2025 for removal of defects is allowed and defect no. 9 and 11 are ignored.

2. The respondents – victim parties have appeared through their counsel Mr. Vijay Shankar Jha and have filed I.A. No. 1339 of 2026 for acceptance of vakalatnama.

3. The vakalatnama is accepted and accordingly, I.A. No. 1339 of 2026 is allowed.

4. Both the parties have been asked to argue and they have accordingly advanced their arguments.

5. The case has arisen out of the judgment dated 29.02.2024 passed in Claims Application No. OA(IIU)/RNC/5/2021 by the learned Railway Claims Tribunal, Ranchi Bench, Ranchi whereby the learned Tribunal has awarded compensation to the claimants/applicants amounting to Rs. 8,00,000/- along with simple interest @ 9% per annum from the date of incident on 30.01.2020 till the date of judgment.

6. It appears that the accident took place on 30.01.2020 and accordingly claim petition was filed before the learned Railway Tribunal, wherein, following issues were framed:

1. Whether this case comes under the jurisdiction of Ranchi Bench?

2. Whether Ajay Saha alias Ajay Kumar Saha was a bonafide passenger as alleged?

3. Whether the deceased had died due to alleged Untoward Incident as defined under Section 123 (c) (2) of the Railways Act while travelling by Train no.53022 Sahibganj-Dhulian Passenger Train on 30.01.2020?

4. Whether the applicant or other dependents of the deceased are entitled to get compensation?

5. Relief.

7. Issue no. 2 and 3 are relevant, which has been discussed in para 9 of the judgment.

8. The appellant -Railways have taken the ground that no ticket has been found and as a matter of fact it is a case of self-inflicted injury.

9. Both contentions of the Railways have been negated by the learned Tribunal after discussing the entire material available on record. Even the DRM report suggests that it was an accident by train no.53022 DN Sahibganj - Azimganj Dhulian Passenger.

10. On consideration of the above facts, this Court finds no reason to interfere with the judgment rendered by the Railway Claim Tribunal, Ranchi Bench, Ranchi.

11. Accordingly, the appeal is dismissed. Consequently, I.A No. 5325 of 2024 seeking stay of the operation of the impugned judgment also stands disposed of.

(Rajesh Kumar, J.)

16.02.2026
A. Mohanty
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