IN THE HIGH COURT OF ORISSA AT CUTTACK
FAO No. 1022 of 2026
CNR No. ODHC010808952026

Amitav Sahani and Another **.....** ***Appellants***
Mr. S.C. Pradhan, Advocate

-versus-

Union of India **.....** ***Respondent***
Mr. A.Mohanty, CGC

CORAM:
THE HON'BLE MR. JUSTICE BIRAJA PRASANNA SATAPATHY
ORDER
06.11.2026

Order No. 01

1. This matter is taken up through hybrid mode.

2. Heard learned counsel appearing for the Parties.

3. The present appeal at the instance of the Claimants/ Appellants is directed against the judgment/award dated 29.09.2026 passed by the learned Railway Claims Tribunal, Bhubaneswar Bench, Bhubaneswar in case No. OA(IIU)/BBS/207/2025.

4. The brief fact of the case is that on dtd.16.03.2022, the deceased while wating at Jajpur Road railway station in platform No.3 , the deceased was passing urine by the side of the said platform. In the meantime, the Howarh Yosabantpur Express train No. 12863 entered into the said platform in a high speed without any light or horn and pulled the deceased into the track, as a result, the deceased sustained serious injury. After the incident, the deceased was taken to the nearby hospital, where she was declared dead by the Medical Officer.

Accordingly, a criminal case was registered.

5. It is stated that the deceased was a bona fide passenger.

6. Learned counsel for the Appellants further contends that the learned Tribunal has awarded a sum of Rs.8,00,000/- in favour of the Appellant. However, the Appellant has been permitted to withdraw only 10% of her shares from the said awarded amount. He further submits that since the Appellants are going through financial hardship, he may be permitted to withdraw 50% of his respective shares from the said awarded amount.

7. In such view of the matter, this Court modifies only that part of the judgment dated 29.09.2026 passed by the learned Railway Claims Tribunal, Bhubaneswar Bench, Bhubaneswar in Case No. OA(IIU)/BBS/207/2025 and directs that Appellant Nos.1 & 2 shall be permitted to withdraw 50% of their share from the awarded amount as awarded in the judgment dated 29.09.2026.

8. It is however observed that Appellants has to give all the bank details in terms of order dtd.29.09.2024 and no application will be entertained for change of that order.

9. The appeal accordingly stands disposed of.

(BIRAJA PRASANNA SATAPATHY)
Judge

Sangita

Signature Not Verified
Digitally Signed
Signed by: SANGITA PATRA
Reason: authentication of order
Location: high court of orissa, cuttack
Date: 09-Nov-2026 16:33:47