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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR-932-2025 (O&M)

Date of Decision : 29.01.2026

Rajan Kumar

... Petitioner(s)

Versus

Union of India

... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Ms. Arzoo Modi, Advocate for the petitioner.

Ms. Archana Vashisht, Advocate (Central Government Counsel),
for the respondent.

ALKA SARIN, J. (Oral)

1. The present revision petition has been filed under Article 227 of the Constitution of India challenging the impugned order dated 24.01.2025 (Annexure P-5) passed by the Railway Claims Tribunal, Chandigarh Bench, Chandigarh (hereinafter referred to as 'Tribunal') whereby the application filed by the petitioner for summoning the doctors, namely, Dr. Ravinder Tah, MBBS, Ludhiana Mediways Hospital, Ferozepur Road, Ludhiana and Dr. Sandeep Kaur, MBBS, SPS Hospital, Sherpur Chowk, GT Road, Ludhiana, District Ludhiana, has been dismissed.

2. Vide the impugned order the application has been dismissed only on the ground that though no reply has been filed by the respondent, however, the stand taken was that there was no need for summoning the doctors as their reports have already been tendered in evidence by the petitioner and exhibited and the respondent was not denying those reports.

3. Learned counsel for the petitioner would contend that the necessity for summoning the doctors is that in the report which has been exhibited the cause of death has been stated to be *cardio respiratory arrest*, however, *cardio respiratory arrest* was due to the injuries which were received by the deceased and, hence, in order to prove the same it was necessary for the doctors to appear.

4. *Per contra* learned counsel for the respondent has contended that since the documents as exhibited by the petitioner have not been disputed, hence, there would be no requirement for summoning the doctors.

5. I have heard the learned counsel for the parties.

6. In the present case the petitioner herein filed a claim petition on the ground that on 25.09.2023 the wife of the petitioner had to board a train No.12498 from Dhandari Railway Station to reach New Delhi and when she was trying to board the train, the train started moving and her foot got stuck between the platform and the train. She was rushed to the hospital, and her right foot was amputated. Due to the injuries, the wife of the petitioner expired on 20.12.2023. The application for compensation under Section 16 of the Railway Claims Tribunal Act, 1987 was filed in respect of injuries and subsequent death of the wife of the petitioner. An application was filed by the petitioner for summoning the doctors though the reports of the doctors had been exhibited on the record. In the present case the necessity to examine the doctors arose as the cause of death was given as *cardio respiratory arrest*, however, it needs to be clarified that *cardio respiratory arrest* was caused due to the injuries and the complication of the injuries which were received by the wife of the petitioner. Though the documents have been tendered in evidence and exhibited, however, the same would be required to be proved in

accordance with law, therefore, the application for summoning the doctors for recording of their statements ought to have been allowed.

7. In view of the above, the order dated 24.01.2025 is set aside. The application for summoning the doctors is accordingly allowed. Needless to say that the Tribunal may examine the doctors through hybrid mode.

8. Disposed off accordingly. Pending applications, if any, also stand disposed off.

29.01.2026
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO