



2026:DHC:4349



* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% Reserved on : 13.02.2026
Pronounced on : 15.05.2026
Uploaded on : 15.05.2026

+ **FAO 223/2022**

UMA SHANKAR SINGH & ANR.Appellants
Through: Mr. Rajan Sood, Ms. Ashima Sood,
and Ms. Megha Sood, Advocates.

versus

UNION OF INDIARespondent
Through: Mr. Raghvendra Shukla, SPC with
Mr. Manu Shukla, Mr. Sampan, Mr.
Asra C., and Ms. Nandita, Advocates.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

JUDGMENT

1. The appellants, being the claimants before the Railway Claims Tribunal, Circuit Bench, *Delhi* (hereinafter "the Tribunal"), are aggrieved by the judgment dated 10.11.2020 passed in Case No. OA-IIu/DLI/2020/162.
2. The claim application seeking death compensation was filed stating therein that one *Ankit Singh* (since deceased) was undertaking a train journey on 01.08.2016 from *Allahabad Railway Station* to *Ghaziabad* through *Seemanchal Express No. 12487*. The journey was undertaken after purchasing one reserved ticket bearing no. A-59848969, which had been recovered upon a physical search of the body of the deceased.
3. The Tribunal, though it recorded a finding as to the deceased being a



bona fide passenger, dismissed the concerned claim application, as the incident in which the deceased had lost his life was held to not be an “untoward incident” in terms of Section 123(c) of the Railways Act, 1989.

4. Mr. Sood, learned counsel for the appellant, has assailed the impugned judgment by contending that the incident occurred at *Phaphund Railway Station*, which is 275 kilometers away from *Allahabad Railway Station*; thus, the journey undertaken by the deceased cannot be doubted. He further contends that the dead body of the deceased was also recovered at the said station and in the claim application, it was specifically pleaded that the incident had occurred on account of a fall from the train, and in this regard reference was also made to the first information about the incident recorded in the Station Master’s Memo dated 02.08.2016, at 6:50 p.m., to the effect that a man had been run over. He thus contended that since the journey had been undertaken and the body was found in the railway station, the Tribunal had erred in rejecting the claim application.

5. Learned counsel for the respondent, on the other hand, defended the impugned judgment and contended that it has come on record that, at the relevant time, *Seemanchal Express* (in which the deceased undertook the journey) was standing on Line 4 of Platform No. 3 at *Phaphund Railway Station*, in order to give precedence to *BBS Rajdhani Express No. 22823*, which passed “run through” from the said station at 6:45 hrs. Thus, the deceased having sustained fatal injuries on account of a fall from the train is improbable. In support of the above, the respondent had placed the TSR (Train Signal Register) of the *Phaphund Railway Station* on record, indicating the exact timings as stated above.

6. The issue of the journey being undertaken by the deceased after the



purchase of a valid train ticket not being in dispute, the only issue that arises for consideration before this Court is whether the incident in question is an “untoward incident”.

7. A perusal of the impugned judgment and the record of the Tribunal shows that *Seemanchal Express* arrived at Line 4 of Platform No. 3 of *Phaphund Railway Station* at 05:55 hrs. and departed from the said station at 07:06 hrs. This shows that the train had stopped at *Phaphund Railway Station* for about 1 hour and 11 minutes. It has further come on record that such a long stoppage was for the reason that *BBS Rajdhani Express*, which had passed “run through” from *Phaphund Railway Station* at 06:44 hrs., was to be given precedence. The loco pilot of *BBS Rajdhani Express* relayed information that a person had been run over by the said train. The DRM Report concluded that the incident had occurred on account of the negligence of the deceased.

8. On a careful analysis and re-appreciation of the facts, this Court concurs with the decision rendered by the Tribunal that the incident occurred not on account of a fall from a moving train as claimed, but on being hit by an altogether different train, i.e., the *BBS Rajdhani Express*. In reaching the said conclusion, this Court also draws strength from the statement of the loco pilot of *BBS Rajdhani Express*.

9. Finding no ground to interfere with the impugned judgment, the present appeal is dismissed and disposed of in the above terms.

MANOJ KUMAR OHRI
(JUDGE)

MAY 15, 2026

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