

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****BEFORE THE NATIONAL LOK ADALAT****CIVIL APPELLATE JURISDICTION****FIRST APPEAL NO. \_\_\_\_\_ OF \_\_\_\_\_**

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Mr. Vaneet Khosla, for the Appellants in Sr. Nos. 4, 13, 14, 15, 30, 31, 32, 33, 42 (a/w. Other 14 connected matters), 50, 58, 60, 70, 68, 75, 82, 83 and 101.

Mr. Deepak Ajayekar, for the Appellants in Sr. Nos. 38, 39, 52, 55, 56, 63, 64, 81, 84, 85, 86, 87, 88, 89, 92, 93, 94, 95, 96, 97, 98, 99, 102, 103.

Mr. Vasant N. More, for the Appellants in Sr. Nos. 69, 71, 72, 73, 74, 76, 79, 80, 90, 91, 100, 104, 105, 106, 107, 108, 109, 110, 111, 112.

Mr. G.J. Mohan Rao, for the Appellants in Sr. Nos. 5, 6, 10, 16, 17, 18, 19, 20, 21, 22, 24, 25, 28, 35, 37, 40, 41, 42, 43, 48, 49, 51.

Mr. Chetan Agrawal, a/w. Ms. Nikita Banatwala, for the Respondents in Sr. Nos. 6, 7, 8, 9, 23, 26, 29, 33, 34, 38, 68, 77.

Mr. T.J. Pandian, for the Respondents in Sr. Nos. 4, 5, 6, 10, 15, 16, 17, 18, 19 to 22, 24, 25, 28, 35, 36, 37, 39, 41, 42, 43, 45 to 49, 51 to 53, 55, 56, 58 to 61, 63, 64, 67, 69, 71, 72, 73, 76, 78, 79, 80, 91.

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**CORAM: SMT. ANUJA PRABHUDESSAI, J.  
(HEAD OF THE PANEL)**

**SHRI. R.V. WANWADI  
DR, INSPECTION**

**SHRI D.M. MATA  
DR, LEGAL & RESEARCH**

**DATE : 7 MAY 2022**

**P.C:-**

Total 112 appeals u/s. 23 of the Railway Claims Tribunal Act were placed before the National Lok Adalat for settlement. Mr. Pandian, learned Counsel for the Railways, states that the Railway Officers, who are present today, have no authority to enter into a settlement or to give consent to settle the matter.

2. It is seen that on the previous date, i.e. on 12 March 2022, 108 matters placed on regular board and 47 on Supplementary Board could not be taken/settled for the same reason. The Panel had recommended that similar directions, as contained in communication dated 5 March 2018, can be issued in respect of the First Appeals pending before the High Court, duly authorising Railway Officers to enter into compromise/consent terms.

3. Mr. Pandian, learned Counsel for the Railways, has placed before us communication dated 28 March 2022 addressed to the Executive Director (PG), Railway Board, New Delhi, communicating the observations made by this Panel in order dated 12 March 2022. It is stated that, till date, guidelines have not been issued and the concerned Officers have not been authorized to enter into settlement.

4. Learned Counsel, who are representing the victims, have brought to our notice that over 1000 appeals under Section 23 are pending before this Court. It is stated that most of these appeals are covered by the decision of the Hon'ble Supreme Court in **Union of India vs. Rina Devi**<sup>1</sup> and the same can be settled before the Lok Adalat.

5. Lok Adalat provides expeditious, economic and viable justice to the common man and the most needy section of the society, particularly to those who have lost their limb or loved one or a bread earner in an untoward incident. It is, therefore, necessary for the concerned authority to take expeditious decision regarding authorisation to the Officers to enter into settlement or compromise. This would not only help in reducing the pendency of the matters before the Court, but will also be in the interest of the victims, keeping in mind the fundamental principle that undue delay in settlement of compensation in such matters defeats the very core purpose of the beneficial legislation. We, therefore, hope and expect that the Railway

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1 (2019) SCC 572

Authorities will view the matter seriously and take expeditious decision in this regard.

(SMT. ANUJA PRABHUDESSAI, J.)

(R.V. WANWADI)

(D.M. MATA)

Original order is kept in First Appeal No.545 of 2004.