



IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No. 338 of 2025

Jogeswar Sa & Ors.

..... *Appellant(s)*
Mr. Satyaban Sahoo, Adv.

-Versus-

Union of India & anr.

..... *Respondent(s)*
Mr. Gopal Krishna Nayak CGC

CORAM:

DR. JUSTICE SANJEEB K. PANIGRAHI

ORDER

14.08.2025

I.A. No.632 of 2025

Order No.

- 02.
1. This matter is taken up through hybrid arrangement.
 2. This application has been filed for condoning the delay of 85 days in preferring the Appeal.
 3. Heard.
 4. Considering the submissions and on going through the averments made in this I.A., prayer is allowed. Delay in preferring the Appeal is, hereby, condoned.
 5. I.A. is disposed of.

FAO No.338 of 2025

1. The present appeal at the instance of the claimants/appellants are directed against the judgment dated 20.01.2025 passed by the

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learned Railway Claims Tribunal, Bhubaneswar Bench, Bhubaneswar in Case No.OA (IIU)/84/2024.

2. Heard.

3. The brief fact of the case is that on 03.04.2024, the deceased Bikash Sa was travelling by train no. 18312 (Banaras-VSKP Express) from Barakakhana to Rajgangpur railway station and during course of journey, in between Kulanga and Kansbahal station, due to jerk, pull and push of co-passenger inside the compartment, he accidentally fell down from the said running train, sustained injury and died on the spot. On the basis of information given by Station Master, Rourkela, GRPS, Rourkela has registered an UD case bearing No.26/2024 and took up investigation. It is further averred that the deceased was a bona fide passenger and on the date of incident, he was travelling vide journey ticket bearing No. ARA-26795105 from Barka Khana to Rajgangpur railway station.

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

5. Learned counsel for the Appellants submits that the learned Tribunal had awarded a sum of Rs.8,00,000/- in favour of the Appellants. However, the Appellant No.2 and 3 were permitted to withdraw only 10% of their respective shares and the Appellant No.1 was permitted to withdraw 50% of his share from the awarded amount. He further submits that since the Appellant





permitted to withdraw their entire share as awarded in the above noted judgment.

5. In such view of the matter, this Court modifies only that part of the judgment dated 20.01.2025 passed by the learned Railway Claims Tribunal Bhubaneswar Bench, Bhubaneswar in Case No.OA (IIU)/84/2024 and directs the Appellants will be permitted to withdraw 50% of their respective shares from the awarded amount as awarded in the judgment dated 20.01.2025.

6. This FAO is, accordingly, disposed of.

(Dr. Sanjeeb K. Panigrahi)
Judge

Murmu