



IN THE HIGH COURT OF ORISSA AT CUTTACK

F.A.O. No.364 of 2025

Bhagabana Rout & Ors. *Appellants*

Represented By Adv.

Mr. Karunakar Das

-versus-

Union of India *Respondents*

Represented By CGC

Mr. Gopal K Nayak

CORAM:

DR. JUSTICE S.K. PANIGRAHI

ORDER

13.08.2025

Order

No.

01. 1. This matter is taken up through hybrid arrangement.
2. The present appeal at the instance of the claimant(s)/appellant(s) is directed against the judgment dated 07.05.2025 passed by the learned Railway Claims Tribunal, Bhubaneswar Bench, Bhubaneswar in Case No. OA(IIU)/155 /2024.
3. Heard learned counsel for the Parties.
4. The brief fact of the case is that the appellants are being the L.Rs of Late Pramod Rout filed the original claim application vide OA (IIU) No. 155 of 2024 before the learned Railway Claims Tribunal, Bhubaneswar Bench, Bhubaneswar stating therein that on 06.05.2024, the



deceased (Son of the appellant No. 1,2 and brother of Appellant No.3) while the deceased go to his working place at Vijayawada boarded Train No. 13351, Dhanbad-Alhapuza Express at Baragarh Railway Station for travel from Baragarh to Vijayawada Railway Station purchased one general ticket from Berhampur Railway station. During course of journey, the deceased accidentally fell down from the said running train in between UR and AMB Railway Station, sustained injuries and died on the spot. In this connection based on the memo of station Superintendent, Rayagada GRPs, Rayagada has registered an U.D. Case No. 18/ 2024 dated 06.05.2024 and took up the investigation and submitted the final report on 27.07.2024 with a remark that the deceased died out of the accidental fall from the running train No. 13351 Dhanbad- Alhapuza Express and there is no suspicion of foul play. It is further averred in the claim application that the deceased was a bonafide passenger and on the date of incident he was travelling vide Railway Ticket No. UYC-14579288 dated 06.05.2024 valid from Baragarh to Vijaywada Railway Station.

5. Learned counsel for the Appellants contends that the learned Tribunal has awarded a sum of



Rs.8,00,000/- along with interest @ 9% per annum in favour of the appellants. However, the Appellant No.1 was permitted to withdraw only 10% of the awarded amount. He further submits that since the Appellant No.1 is going through financial hardship, she may be permitted to withdraw the entire awarded amount.

6. In such view of the matter, this Court modifies only that part of the judgment dated 07.05.2025 passed by the learned Railway Claims Tribunal, Bhubaneswar Bench, Bhubaneswar in Case No.OA(IIU)/155/2024 and directs that the Appellants will be permitted to withdraw 50% of their respective shares as awarded in the judgment dated 07.05.2025.

7. This FAO is, accordingly, disposed of.

(Dr. S.K. Panigrahi)
Judge

Sumitra

