



IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No. 376 of 2025

*Prmeshwar Nayak @ Parmeshwar  
Nayak & Anr.*

..... *Appellant(s)*  
*Mr. Debasish Patnaik, Adv.*

-Versus-

*Union of India*

..... *Respondent(s)*  
*Mr. Millan Kumar, CGC*

CORAM:

DR. JUSTICE SANJEEB K. PANIGRAHI

ORDER

18.08.2025

Order No.

02.

I.A. No.718 of 2025

1. This matter is taken up through hybrid arrangement.
2. This application has been filed for condoning the delay of 446 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.376 of 2025

1. Heard.
2. The present appeal at the instance of the claimants/ appellants is directed against the judgment dated 19.02.2024 passed by the

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learned Railway Claims Tribunal, Bhubaneswar Bench, Bhubaneswar in Case No.OA(IIU)/26 /2020.

3. The brief fact of the case is that the deceased Dilip Kumar Nayak was working in a private firm at Pune City and on 08.09.2019 he was travelling from Pune to Hatia railway station by Pune-Hatia Dn train as a bona fide passenger. It is averred that in course of journey on 09.09.2019 on the way at KM No. 532/16 in between Belpahar and Lajkura railway station he accidentally fell down from the running train and died on the spot. In this connection, the GRPS/Jharsuguda, has registered a UD case No. 32 dated 09.09.2019 and took up investigated into the matter. With regard to ticket it is further averred by the Applicants that on the date of incident their deceased son was travelling with a valid journey ticket bearing No. UFF-82217629 dated 08.09.2019 from Pune to Hatia railway station.

4. 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 Appellants was permitted to withdraw only 10% of the awarded amount. He further submits that since the Appellants are going through financial hardship, they have financial difficulties, they may be permitted to withdraw their 50% 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 19.02.2024 passed by the learned Railway





Claims Tribunal, Bhubaneswar Bench, Bhubaneswar in Case No.OA(IIU)/26/2020 and directs that the Appellants /claimants will be permitted to withdraw 50% of their share as awarded in the judgment dated 19.02.2024.

6. This FAO is, accordingly, disposed of.

*( Dr. Sanjeeb K. Panigrahi )*  
*Judge*

*Murmu*

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