

IN THE SUPREME COURT OF INDIA
 CIVIL APPELLATE JURISDICTION
 CIVIL APPEAL No.368 OF 2005

UNION OF INDIA AND OTHERS.
 APPELLANTS

.....APPELLANTS

VERSUS

C. L. HORA AND ANR.
 RESPONDENTS

.....RESPONDENTS

O R D E R

No one has appeared on behalf of the respondents.

Heard learned senior counsel appearing on behalf of the appellants.

The present controversy relates to compensation awarded on account of the death of Ms.Sarika Hora on 27.10.1995 on account of her having fallen down through the vestibule of the Goa Express (Train No.2480) while travelling from Pune to New Delhi. The primary issue which is the subject matter of consideration is limited to the question of jurisdiction.

On account of the fact that 19 years have passed by since the death of Ms.Sarika Hora whose dependents have been awarded compensation of Rs.18 lakhs along with interest of 9% per annum by the Monopolies and Restrictive Trade Practice Commission, New Delhi vide its order dated 14.05.2004, we are of the view, that the technical issue arising for consideration should not deter us from
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 Satish Kumar Yadav
 Date: 2014.08.01

disposing of this matter by keeping this issue open, so as to
 16:25:34 IST
 Reason:

enable the dependents of Ms.Sarika Hora to receive the benefits

granted to the dependents. More so, because the quantification of compensation is not seriously contested by the appellants.

Accordingly, we dispose of this appeal by keeping the question of law, on the issue of jurisdiction, open.

In case, the dependents have not yet withdrawn the compensation, they are at liberty to move an appropriate application, for withdrawal of the same, in accordance with law.

.....J.
(JAGDISH SINGH KHEHAR)

.....J.
(ROHINTON FALI NARIMAN)

NEW DELHI;
JULY 31, 2014.

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ITEM NO.106

COURT NO.6

SECTION XVII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 368 of 2005

UNION OF INDIA AND OTHERS.

Appellant(s)

VERSUS

C. L. HORA AND ANR.

Respondent(s)

(With appln. (s) for ex-parte stay)

Date : 31/07/2014 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Appellant(s) Mr.J.S.Attri, Sr.Adv.
Ms.Madhurima Tatia, Adv.
Mr. Shreekant N. Terdal, Adv.

For Respondent(s) Mrs. Amita Gupta, Adv.(Not Present)
Mr. S. K. Dhingra, Adv.(Not Present)

Upon hearing the counsel the Court made the following
O R D E R

The appeal is disposed of in terms of the signed order.

(SATISH KUMAR YADAV)
COURT MASTER

(PHOOLAN WATI ARORA)
ASSISTANT REGISTRAR

(Signed order is placed on the file)