

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

Petition for Special Leave to Appeal (C) No. 25571/2016
[Arising out of impugned final judgment and order dated 04-05-2016
in XOBJ No. 54/2003 (O&M) passed by the High Court of Punjab &
Haryana at Chandigarh]

CHAND SINGH & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

WITH

SLP(C) No. 5081/2023 (IV-B)

SLP(C) No. 5080/2023 (IV-B)

SLP(C) No. 36200/2017 (XVI)

Date : 05-12-2024 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SUDHANSHU DHULIA

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH

For Petitioner(s) Ms. Fauzia Shakil, AOR

Mr. Akshay Verma, AOR
Mr. Abhinav Singh, Adv.
Ms. Sushma Verma, Adv.

Mr. Narender Kumar Verma, AOR

For Respondent(s) Mr. Vikramjit Banerjee, A.S.G.
Mr. Bharat Sood, Adv.
Mr. Ayush Anand, Adv.
Mr. Ishaan Sharma, Adv.
Mr. Raman Yadav, Adv.
Mr. Jagdish Chandra Solanki, Adv.
Mr. Amrish Kumar, AOR

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

These matters relate to the payment of compensation to the
petitioners under section 124-A of the Railways Act, 1989.

SLP(C) No.25571/2016

The petitioners-claimants in this petition had approached the Railways Tribunal claiming compensation for the death of their son who, according to the petitioners, died due to the negligence of the Railways Authorities. The Railway Claims Tribunal vide order dated 20.11.1998 partly allowed the claim of the petitioners and awarded them a compensation of Rs. 2,00,000/-.

Assailing the order of the tribunal, the respondent-Union of India approached the High Court of Punjab and Haryana. In the appeal filed by Respondent- Union of India, petitioners-claimants also filed cross-objections seeking enhancement of compensation. High Court vide the impugned order dated 04.05.2016 dismissed the appeal filed by respondent-Union of India. By the same order, cross-objections of the petitioners, seeking enhancement of compensation, were also dismissed, on the ground of delay. Now, petitioners are before this Court seeking the enhancement of the compensation amount from Rs. 2,00,000/- to Rs. 4,00,000/-.

SLP (C) No.36200/2017, SLP (C) No.5080/2023 and SLP (C) NO.5081/2023

Insofar as these remaining petitions are concerned, claims of the petitioners-claimants were rejected by the Tribunal on the ground that the petitioners-claimants failed to prove that the deceased persons were bona fide passengers or that they died in the untoward incidents. Petitioners in all three cases filed appeals before the respective High Courts where they have been awarded a

compensation of Rs.4,00,000/- along with interest. Being dissatisfied with the compensation amount, the petitioners are before this Court seeking enhancement of compensation.

In all the above four matters, we have heard learned counsel for the parties at length and gone through the records. We have come to the conclusion that the amount of compensation is to be enhanced in all these cases. Mr. Banerjee, learned Additional Solicitor General has brought to the notice of this Court a decision rendered in the case of *Union of India Vs. Rina Devi* (2019) 3 SCC 572 wherein this Court has set down the principles on the basis of which compensation has to be awarded in such cases and both the parties have agreed that the law laid down by this Court in the case of *Rina Devi* (supra), reaffirmed by the judgment of this Court in the case of *Doli Rani Saha Vs. Union of India* reported in (2024) 9 SCC 656, now settles the matters regarding claims concerning Railways and let the amount be fixed as per the guidelines in the above case.

In view of the judgment(s) referred above, the Union of India has worked out the following awards as of today to be given in each case which is admitted by the petitioner(s)/claimants herein. This is as follows:

1. SLP (C) No. 25571/2016 Chand Singh & Anr. Vs. Union of India - Rs.4,00,000/-
2. SLP (C) No.36200/2017 Renu Sinha Vs. Union of India - Rs.9,53,611/-

3. SLP (C) No.5080/2023 Paramjit Kaur Vs. Union of India -
Rs.8,00,000/-

4. SLP (C) NO.5081/2023 Divya Saini Vs. Union of India -
Rs.8,69,973/-

The said amount be paid by the Union of India to the
respective claimant(s) within four weeks from today.

With the above observations, these special leave petitions
stand disposed of along with the pending application(s), if any.

(RAJNI MUKHI)
COURT MASTER (SH)

(RAVINDER KUMAR)
COURT MASTER (NSH)

