

(2025) 07 JH CK 1213
In the Jharkhand High Court
Case No : Misc. Appeal No. 206 Of 2024

Rajiya Khatoon

APPELLANT

Vs

Union Of India through General Manager

RESPONDENT

Date of Decision : 10-07-2025

Acts Referred:

Citation : (2025) 07 JH CK 1213

Hon'ble Judges : Sanjay Kumar Dwivedi, J

Bench : Single Bench

Advocate : Omiya Anusha, Ravi Prakash

Final Decision : Disposed Of

Judgement

Sanjay Kumar Dwivedi, J

1. Heard the learned counsel appearing on behalf of the appellants as well as the learned counsel for the respondent/Railways.

2. This appeal has been filed for setting aside the order dated 10.08.2021 passed by the learned Railway Claims Tribunal, Ranchi Bench, Ranchi in Case No.RES/RNC/0002/2020 arising out of O.A.(IIU)/RNC/80/2019 whereby the application filed for restoration of the application has been rejected by the learned Railway Claims Tribunal.

3. Learned counsel for the appellant submits that on 04.2.2020 the learned counsel appearing for the claimants has not been able to appear before the learned court due to illness and on that day, for non-appearance, the case has been dismissed and thereafter the restoration petition has been filed which has been rejected by the impugned order dated 10.08.2021. She submits that for rejecting the said restoration, no reason has been assigned by the learned court and simply it has been dismissed.

4. The learned counsel for the respondent Railways submits that learned counsel has not appeared before the learned Tribunal and in view of that the case was

dismissed.

5. The Court has perused the order dated 10.8.2021 whereby restoration petition filed for restoration of the said O.A.(IIU)/RNC/80/2019 has been rejected. In the said order, there is no reason assigned for rejecting of restoration of the said O.A. case. It was pointed out in course of the argument that due to illness on that day, the learned counsel for the claimants had not appeared before the Tribunal and that is also disclosed in paragraph no.2 of the petition filed before the learned Tribunal for restoration.

6. In view of above facts and reasons, the impugned order dated 10.8.2021 is hereby set aside. The O.A.(IIU)/RNC/80/2019 is hereby restored to the file of the learned Railway Claims Tribunal, Ranchi Bench, Ranchi which will be decided on merit in accordance with law.

7. The appellants herein and the learned counsel for the Railways shall appear before the learned Railway Claims Tribunal, Ranchi Bench, Ranch on 28.07.2025.

8. This appeal is allowed in the above terms and stands disposed of.