IN THE HIGH COURT OF ORISSA AT CUTTACK

A.F.R.

FAO No.206 of 2024

(From the judgment dated 04.04.2024 passed by the Learned Railway Claims Tribunal, Bhubaneswar Bench in O.A. 181 of 2007)

Satyajit Swain .... ***Appellant (s)***

-versus-

Union of India .... ***Respondent (s)***

Advocates appeared in the case through Hybrid Mode**:**

For Appellant (s) : *Mr. Biswajit Mohanty, Adv.*

For Respondent (s) : *Mr. Alok Kumar, CGC*

CORAM:
DR. JUSTICE SANJEEB K PANIGRAHI

DATE OF HEARING:-23.07.2025
DATE OF JUDGMENT:-10.09.2025

Dr. Sanjeeb K Panigrahi, J.

1. This F.A.O. is an application under Section 23 of the Railway Claims Tribunal Act, 1987 filed against the judgment dated 04.04.2024 passed by the Learned Railway Claims Tribunal, Bhubaneswar Bench in O.A. 181 of 2007 wherein the Learned Tribunal was pleased to dismiss the claim petition filed under Section 16 of the Railway Claims Tribunal Act, 1987.

I. ACTUAL MATRIX OF THE CASE:

2. As per the original claim petition, on the date of the incident i.e. on 25.12.2006, the deceased Sarbeswar Swain was travelling from

Allahabad to Cuttack by Train No. 12816, Neelachal Express and in the course of his journey, on the night of 25.12.2006, the deceased accidentally fell down inside the compartment due to a sudden jolt and was immediately rendered unconscious. It is alleged that as a result of the same he sustained grievous injuries to his brain along with other injuries to his person.

3. It is stated that after the incident, the injured was immediately shifted to the nearest Gaya Government Hospital where, in the course of his treatment, he succumbed to the injuries on 27.12.2006.

4. The present Petitioner, being the legal heir of the deceased, preferred the Claim Petition on 27.8.2007 seeking a compensation of Rs.4,00,000/- with cost and interest at 12% p.a. due to premature death of the deceased caused by the alleged rash, negligent and irresponsible driving of the driver of the offending Train No. 2816.

5. Vide judgment dated 12.12.2014, the Ld. Tribunal was pleased to dismiss the claim petition on the ground that the death of the deceased was caused due to cardiac arrest. Aggrieved, the present Appellant had approached this Court in F.A.O. No. 273 of 2015. This Court had vide its judgment and order dated 5.12.2023 in F.A.O. No. 273 of 2015 observed that the post-mortem report of ANMMC Hospital, Gaya reveals that the cause of death is shock and haemorrhage, not cardiac arrest. Accordingly, this Court was pleased to set aside the findings of the Ld. Tribunal and remanded the matter back for fresh adjudication, particularly whether the applicant is entitled to get compensation given the cause of death is now revealed to be something entirely different.

6. Thereafter, O.A. 181/2007 was taken up afresh by the Ld. Tribunal. Vide the impugned judgment, the Ld. Tribunal was pleased to dismiss the claim application on the following considerations, reproduced hereinunder for the sake of convenience:

> *"7.3. … Considering that the Post Mortem Examination Reports has attributed the cause of death to be due to shock and hemorrhage, the question arises as to whether such condition of the deceased had arisen out of any plausible fall inside the train compartment due to sudden acceleration or deceleration with sudden application of brakes. There is no evidence at all with regard to such a thing occurring. We also take note of the fact that a possible sudden jerk would have impacted all passengers not only of that particular compartment but also in other compartments of the train. There are absolutely no reports on record of any such thing occurring. In absence of any such evidence, it cannot be inferred that the shock and hemorrhage could have caused due to any sudden jerk which resulted in a possible fall inside the compartment and consequential impact on the deceased. Moreover, assuming for a while that the deceased allegedly fell inside the train and subsequently died but the said incident does not cover under section 123 (c) (2) of the Railways Act 1989 which stipulates that "The accidental falling of any passenger from a train carrying passengers". The case at hand, is not a case of fall from a train rather a case of fall inside the train…"*

7. Aggrieved, the present Appellant has preferred the present petition.

8. Now that the facts leading up to the instant Appeal has been laid down, this Court shall endeavour to summarise the contentions of the Parties and the broad grounds that have been raised.

II. APPELLANT'S SUBMISSIONS:

9. Learned counsel for the appellant submitted that it is an admitted fact that the deceased was a bona fide passenger travelling with a valid journey ticket. Learned advocate submitted that even if the defence of respondent-Railway is accepted as it is, even then the claim could not have been rejected as none of the exceptions that would disentitle the present Claimant have been made out by the Railway Authorities. The injuries sustained by the deceased would fall within the expression "accidental falling of a passenger from train carrying passengers", which is an "untoward incident" as defined under Section 123(c)(2) of the Railways Act, 1989. Learned advocate, in order to seek support to this submission, has relied on the decision of the Apex Court in ***Union of India v. Prabhakaran Vijaya Kumar***[1]. It is submitted that the death would fall in the first part of Section 124-A of the Act of 1989. The defence of negligence or contributory negligence will not be available to the respondent-Railway inasmuch as the liability of the Railways is based on the principle of "no fault theory". It is finally submitted that the case on hand will not fall within any of the clauses under the Proviso to Section 124-A and as such, the claim ought to have been allowed.

III. RESPONDENT'S SUBMISSIONS:

10. Per contra, the Ld. Counsel for the Respondent-Railway, in short, supported the judgment and order passed by the Tribunal. It was submitted that the evidence adduced by the appellant as to the actual

[1] AIR 2009 Supp SC 383

occurrence of the incident was not proven beyond doubt and therefore, reliance cannot be placed on such evidence.

11. It was further submitted that the Ld. Tribunal was right in holding that the scope of untoward incidents did not include within it's purview, incidents occurring inside the train compartment. It was also contended that the incident occurred due to the negligence of the deceased and therefore, the Tribunal was right in rejecting the claim.

IV. ISSUE FOR CONSIDERATION

12. Having heard the parties and perused the materials available on record, this court here has identified the following solitary to be determined:

A. Whether the deceased died in an untoward incident within the meaning of Section 123(c) of the Railways Act, 1989? If yes, what compensation is liable to be paid?

V. ISSUE A: WHETHER THE DECEASED DIED IN AN UNTOWARD INCIDENT WITHIN THE MEANING OF SECTION 123(C) OF THE RAILWAYS ACT, 1989? IF YES, WHAT COMPENSATION IS LIABLE TO BE PAID?

13. Section 2(29) of the Railways Act defines "passenger" to mean a person travelling with a valid pass or ticket. Section 123(*c*) of the Railways Act defines "untoward incident" to include the accidental falling of any passenger from a train carrying passengers. Section 124-A of the Railways Act with which this Court is concerned with states:

> *"124-A. Compensation on account of untoward incidents.—When in the course of working a railway an untoward incident occurs, then whether or not there has been any wrongful act, neglect or default on the part of the*

railway administration such as would entitle a passenger who has been injured or the dependant of a passenger who has been killed to maintain an action and recover damages in respect thereof, the Railway Administration shall, notwithstanding anything contained in any other law, be liable to pay compensation to such extent as may be prescribed and to that extent only for loss occasioned by the death of, or injury to, a passenger as a result of such untoward incident:

Provided that no compensation shall be payable under this section by the Railway Administration if the passenger dies or suffers injury due to—

(a) suicide or attempted suicide by him;

(b) self-inflicted injury;

(c) his own criminal act;

(d) any act committed by him in a state of intoxication or insanity;

(e) any natural cause or disease or medical or surgical treatment unless such treatment becomes necessary due to injury caused by the said untoward incident.

Explanation.—For the purposes of this section, 'passenger' includes—

(i) a railway servant on duty; and

(ii) a person who has purchased a valid ticket for travelling by a train carrying passengers, on any date or a valid platform ticket and becomes a victim of an untoward incident."

14. The Apex Court in ***Union of India v. Prabhakaran Vijaya Kumar***[2] has already clarified that the distinction sought to be carved out by the Ld. Tribunal qua accidents occurring 'from' a train would include accidents occurring 'inside' a train. It was held as follows:

"10. We are of the opinion that it will not legally make any difference whether the deceased was actually inside the train

[2] (2008) 9 SCC 527

when she fell down or whether she was only trying to get into the train when she fell down. In our opinion in either case it amounts to an "accidental falling of a passenger from a train carrying passengers". Hence, it is an "untoward incident" as defined in Section 123(c) of the Railways Act.

11. No doubt, it is possible that two interpretations can be given to the expression "accidental falling of a passenger from a train carrying passengers", the first being that it only applies when a person has actually got inside the train and thereafter falls down from the train, while the second being that it includes a situation where a person is trying to board the train and falls down while trying to do so. Since the provision for compensation in the Railways Act is a beneficial piece of legislation, in our opinion, it should receive a liberal and wider interpretation and not a narrow and technical one. Hence, in our opinion the latter of the abovementioned two interpretations i.e. the one which advances the object of the statute and serves its purpose should be preferred vide Kunal Singh v. Union of India [(2003) 4 SCC 524 : 2003 SCC (L&S) 482] (SCC para 9), B.D. Shetty v. Ceat Ltd. [(2002) 1 SCC 193 : 2002 SCC (L&S) 131] (SCC para 12) and Transport Corpn. of India v. ESI Corpn. [(2000) 1 SCC 332 : 2000 SCC (L&S) 121]"

15. Having established the same, this Court shall now inspect Section 124-A. Section 124-A lays down strict liability or no fault liability in case of railway accidents. Hence, if a case comes within the purview of Section 124-A it is wholly irrelevant as to who was at fault.

16. The theory of strict liability for hazardous activities can be said to have originated from the historic judgment of Blackburn, J. of the British High Court in ***Rylands* v. *Fletcher***[3].

[3] (1866) LR 1 Ex 265

17. The basis of the doctrine of strict liability is twofold: (*i*) The people who engage in particularly hazardous activities should bear the burden of the risk of damage that their activities generate, and (*ii*) it operates as a loss distribution mechanism, the person who does such hazardous activity (usually a corporation) being in the best position to spread the loss via insurance and higher prices for its products.

18. The liability attaches irrespective of negligence or intent. In our jurisprudence, this principle has been adopted with necessary modifications, emphasizing that enterprises engaged in activities fraught with inherent risk must bear the responsibility for harm that ensues. It is thus not the fault element but the act of creating a dangerous condition which forms the foundation of liability. The modern rationale for this principle rests on social justice: he who profits from a hazardous activity must be held accountable when that activity causes damage, without the injured party having to prove wrongful conduct.

19. The Supreme Court has consistently advanced the contours of strict liability, especially in cases concerning public utilities and instrumentalities of the State. Unlike the common law exceptions, Indian law has narrowed the defenses available to a defendant. The plea that the harm was caused by an act of a stranger, or that reasonable care had been exercised, does not absolve liability where the activity itself is inherently hazardous. The judicial insistence on strict liability emanates from the recognition that modern industrial and infrastructural activities are carried on for public benefit, yet they expose individuals to risks they neither consented to nor can control.

Justice demands that such risks be internalized by the enterprise that creates them.

20. It is significant to note that strict liability is not confined merely to industrial undertakings. Transportation, including railways, falls squarely within its scope, for the movement of trains involves power, machinery, and velocity that create hazards to life and limb. Where a passenger dies in a railway accident not attributable to any exception recognized under law, strict liability must follow. The Railway Administration, enjoying the monopoly of carriage, cannot seek refuge under pleas of absence of negligence. It must bear the burden, for it alone has the capacity to insure against such risks and spread the loss across its operations. This ensures justice to the victim and maintains confidence in the system of public transport.

21. Strict liability also resonates with the constitutional philosophy of Article 21, which guarantees protection of life and personal liberty. A hazardous enterprise or activity carried out under the aegis of the State cannot escape constitutional accountability when harm results. In such cases, the doctrine operates not merely as a principle of tort law but as an instrument of constitutional justice. The Indian legal system has extended strict liability into absolute liability, where no exceptions are permitted. Thus, once death or injury is established in connection with the operation of a hazardous activity like railway transport, liability is automatic and inexorable.

22. One of the key rationales for strict liability is distributive justice. The victim of an accident suffers sudden loss, often irreparable, while the enterprise responsible continues to function and profit. The law

therefore intervenes to redistribute the burden of loss. It mandates that the enterprise, rather than the helpless victim, absorb the financial consequences. The social contract implicit in this doctrine ensures that no innocent life is left uncompensated merely because negligence cannot be proved. Courts, acting as custodians of justice, are bound to enforce this principle rigorously, particularly in cases involving common carriers where passengers repose complete trust in the system.

23. The doctrine of strict liability is also informed by considerations of deterrence. If enterprises were permitted to escape liability by invoking excuses or technicalities, the incentive to adopt higher safety standards would be eroded. Imposing strict liability ensures that public utilities constantly upgrade their practices, systems, and infrastructure to minimize risk. Thus, while the immediate effect is compensatory justice to the victim, the larger effect is systemic improvement in safety. It is this twin purpose—compensation and deterrence—that sustains the vitality of the doctrine.

24. In the case before this Court, the death occurred in circumstances where no exception to liability is discernible. The event did not involve suicide, criminal act, or an irresistible force of nature that could not have been foreseen. It was a death caused in the course of train travel, squarely invoking the statutory and common law principles of strict liability. To deny compensation would be to frustrate the very objective of railway law and the protective philosophy underlying it. The Railway Administration must be held

strictly liable, for the injury is integrally linked with the risk inherent in its operations.

25. The plea sometimes raised that strict liability imposes an onerous burden overlooks the essential reality that such enterprises already calculate risk as part of their business model. They factor insurance premiums and safety measures into their operations. Strict liability merely ensures that the costs of accidents are borne by the enterprise rather than shifting them onto innocent individuals. The law thus enforces economic rationality alongside moral responsibility. Where death results from train operations, the liability is not a matter of discretion but a legal mandate grounded in fairness.

26. Judicial pronouncements have repeatedly stressed that the presence of statutory provisions does not dilute strict liability; rather, they reinforce it. The Railways Act itself, in providing for compensation, reflects the legislative intent to place responsibility squarely on the railway administration. Judicial interpretation of such statutes must be consistent with the overarching doctrine of strict liability. The courts cannot construe the law in a manner that denies relief merely because negligence or fault is not demonstrable. The essence of the principle is that liability flows from the act itself, not from the state of mind of the actor.

27. The application of strict liability to railways is not a novel judicial construct but a continuation of well-settled principles. The Supreme Court has in numerous cases underscored that railways, being a State monopoly and a common carrier, owe the highest duty of care to passengers. This duty extends beyond negligence into the realm of

absolute accountability. Any departure from this principle would undermine public trust and erode the legitimacy of State-run services. Accordingly, once the causal link between the train operation and the death is established, liability must follow inexorably.

28. In advancing strict liability, courts are not engaging in judicial legislation but merely applying settled doctrines to contemporary realities. The law must evolve to meet the demands of justice in a society where large-scale technological operations carry risks for the individual. The death of a passenger in train travel is precisely the sort of harm strict liability was designed to address. It ensures that the weaker party—the individual citizen—is not left remediless against the might of the State or its instrumentalities. The legitimacy of our legal order rests on such equitable outcomes.

29. This Court also notes that strict liability aligns with international trends in consumer protection and accident compensation. Modern legal systems recognize that the victim of mass transportation accidents cannot be expected to prove fault. The liability of carriers is therefore made strict or absolute, and compensation is treated as a social obligation. Indian law, with its constitutional emphasis on social justice, stands on even firmer ground in adopting this principle.

30. Article 38(1) of the Constitution states "the State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political, shall inform all the institutions of the national life".

Thus, it is the duty of the State under our Constitution to function as a Welfare State, and look after the welfare of all its citizens.

31. In various social welfare statutes the principle of strict liability has been provided to give insurance to people against death and injuries, irrespective of fault. Section 3 of the Workmen's Compensation Act, 1923 provides for compensation for injuries arising out of and in the course of employment, and this compensation is not for negligence on the part of the employer but is a sort of insurance to workmen against certain risks of accidents. Similarly, Section 124-A of the Railways Act, 1989, Sections 140 and 163-A of the Motor Vehicles Act, 1988, the Public Liability Insurance Act, 1991, etc. incorporate the principle of strict liability.

32. The jurisprudence of strict liability also upholds the dignity of the victim. To require bereaved families to engage in protracted litigation to establish negligence would amount to re-victimization. The law must shield them from such hardship by recognizing liability as inherent in the activity itself. This compassionate dimension of strict liability reflects the humane face of justice. It assures society that the law will stand with those who suffer loss, rather than with powerful enterprises that can easily absorb the cost.

33. The Railways Act, being a social welfare legislation, must receive a broad and liberal interpretation. Its purpose is not merely to regulate railway administration but to safeguard the rights of passengers who place themselves entirely in the care of the Railways. The provisions relating to compensation are remedial in nature, intended to protect families from destitution arising out of unforeseen accidents. Courts,

therefore, cannot construe such provisions narrowly, for that would defeat the beneficent object of the legislation.

34. The death of a passenger in train travel, where it does not fall within the specified exceptions, attracts liability under this beneficial legislation. The statutory scheme recognizes that passengers entrust their lives to the Railways. In return, the Railways must accept responsibility for any mishap that occurs in the course of travel. The legislative intent is clear: no innocent family should be left uncompensated merely because fault cannot be established. This underscores the welfare-oriented character of the law.

35. It is a settled principle of interpretation that social welfare statutes must be construed in a manner that advances their remedial purpose. Technicalities of procedure or narrow readings of exceptions cannot be allowed to frustrate legislative intent. Where death is caused in the course of railway travel, the presumption of liability operates in favour of the victim's family. Only in the rarest of cases, where exceptions like suicide or self-inflicted injury are clearly proved, can the Railways escape responsibility.

36. This Court has repeatedly emphasized that beneficial legislation must be applied with a humane approach. The words of the statute must be read in the light of its object and purpose, rather than through a rigid literalism. In the context of railway accidents, the interpretation must always lean in favour of granting relief to the victim's family. To hold otherwise would amount to judicial abdication of our responsibility to enforce the social contract embodied in such laws.

37. The legislative scheme further indicates that compensation is not ex gratia but a matter of right. This right accrues immediately upon proof of death in the course of train travel, unless a clear statutory exception is shown. The burden lies on the Railway Administration to establish such exception. This allocation of burden reflects the welfare intent of the statute: the victim's family is spared from onerous litigation, while the powerful public utility is required to justify denial of compensation.

38. The Court must also recognize that beneficial legislation is a living instrument. Its application must respond to contemporary realities, where railway travel has become the backbone of national transportation. Millions rely on it daily, and accidents, though rare, can devastate families. The law, therefore, must stand as a shield for citizens, ensuring that they are not left destitute due to events beyond their control. A broad interpretation of liability provisions fulfils this protective role.

39. The philosophy underlying such legislation is to balance the inequities of power between the State-run Railways and the individual passenger. The passenger has no bargaining power, no opportunity to negotiate terms, and no means to avoid risk. The statute therefore intervenes to protect him by imposing strict liability and guaranteeing compensation. This protective framework must be interpreted broadly, so as to realize the full measure of justice it promises to citizens.

40. It is of grave concern to this Court that the present claim arises from an incident that occurred as far back as 25.12.2006. Nearly nineteen

years have passed, yet the bereaved legal heir has been compelled to run from pillar to post for relief. Justice delayed is justice denied, and in the context of a beneficial legislation such as the Railways Act, this denial assumes a character of cruelty. The object of the statute is to ensure immediate succour to families torn apart by unforeseen accidents. Prolonged litigation, far from fulfilling this objective, frustrates it entirely. The Railway Administration, as a public utility under the aegis of the State, had an affirmative duty to ensure that compensation was disbursed swiftly and without obstruction. Its failure to do so is a failure not merely of administration but of justice itself.

41. The Railways enjoy monopoly over passenger transportation across vast stretches of this country. With this privilege comes an onerous responsibility to uphold the trust reposed in them by millions of citizens. When a passenger dies during train travel, the first obligation of the Railways is to extend compassion and assistance to the grieving family. To compel such a family to engage in protracted litigation, amounts to abdication of this solemn responsibility. It must be remembered that the deceased passenger was not a trespasser or an interloper; he was a citizen exercising his lawful right of travel. His family, therefore, should have been shielded by the law, not exposed to its harshest rigours.

42. The conduct of the Railway Administration reflects a disregard for the welfare-oriented spirit of the statute. Beneficial legislation is meant to protect the weak, not to arm the strong with weapons of delay. In insisting that the legal heir must prove matters beyond what

the law requires, the Railways have reversed the very allocation of burdens that Parliament enacted. The law presumes liability in such cases, subject only to limited exceptions. Yet, instead of honouring this presumption, the Railways placed insurmountable obstacles in the path of the claimant. This Court cannot remain a silent spectator to such injustice.

43. It is pertinent to recall that the deceased lost his life during a train journey, which by its very nature places passengers at the mercy of the carrier. Unlike other modes of travel, railway passengers cannot control speed, route, or safety measures. They entrust their lives wholly to the Railways. The law, therefore, imposes on the Railways a duty that is strict, unrelenting, and immediate. Any delay in fulfilling this duty undermines the very faith of the public in the system. That the legal heir had to wait nineteen years for recognition of this right is an indictment of the institution, and this Court is constrained to record its disapproval.

44. The State and its instrumentalities must remember that they exist to serve the people, not to obstruct them. It is not sufficient that compensation be paid eventually; it must be paid in time, when it can actually relieve suffering. Justice delayed by nearly two decades cannot restore what was lost. It only compounds grief with bitterness.

45. It is worth emphasizing that the financial capacity of the Railways is far superior to that of an individual heir. While the Railways can absorb the cost of compensation with ease, the heir is left struggling to survive in the absence of timely relief. This asymmetry of power is precisely what social welfare legislation is designed to correct. By

delaying justice for nineteen years, the Railways turned this protective framework on its head, weaponizing their superior resources against the weakest. The law cannot permit such inversion of its purpose.

46. The present case is a reminder that beneficial legislation must be given effect to in a manner that heals, not in a manner that harms. Justice demands nothing less.

47. This Court has no hesitation in holding that the distinction carved out by the Ld. Tribunal is fallacious. The deceased was a bonafide passenger who suffered injuries in the train. Given the nature of strict liability that is cast on the Railway authorities and the fact that the Authorities have not proven that the deceased falls within any of the exceptions carved out in the Act of 1989, the present Appeal is allowed.

48. On the question of compensation, in this case, the untoward incident occurred on 25.11.2006. Learned advocate for the appellant submitted that after issuance of Notification dated 22.12.2016, issued by the Ministry of Railways (Railway Board), the compensation payable under the various entries of the Schedule to the Railway Accidents and Untoward Incidents (Compensation) Rules, 1990, has been revised with effect from 1.1.2017. In view of the amendment of the Schedule, in case of a death claim, the claimants are entitled to get compensation of Rs.8,00,000/- (Rupees Eight Lakhs Only.

49. In view of the decision of the Apex Court in ***Union of India*** **v.** ***Radha Yadav***[4], the measure of compensation shall be determined by first calculating the amount payable under the Schedule as applicable on the date of the accident, together with a reasonable rate of interest thereon up to the date of the award. This amount is then to be compared with the sum prescribed under the amended Schedule operative on the date of award, and the claimant shall be entitled to whichever of the two is higher. For instance, in the case of a death prior to amendment, the base sum of ₹4,00,000/- would be increased by adding reasonable interest. If this sum falls short of the amended figure of ₹8,00,000/-, the claimant would be entitled to ₹8,00,000/-. If it exceeds ₹8,00,000/-, then the higher figure shall prevail. The intent is to afford just compensation, applying the amendment to the fullest benefit.

50. In the instant case, the accident took place on 25.12.2006, when the Schedule prescribed compensation of ₹4,00,000/-. Applying a reasonable rate of 7% per annum, the accrued interest till 1.9.2025, amounts to approximately ₹5,23,562/-. Thus, the total compensation works out to ₹9,23,562/- (rounded). Since this figure exceeds the amended statutory amount of ₹8,00,000/-, the Appellant shall be entitled to the higher sum of ₹9,23,562/-.

VI. CONCLUSION:

51. In light of the above discussion, the First Appeal is allowed.

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[4] (2019) 3 SCC 410

52. The judgment dated 04.04.2024 passed by the Learned Railway Claims Tribunal. Bhubaneswar Bench in O.A. 181 of 2007 is set aside. The claim petition is allowed.

53. The appropriate Respondent Authority – East Coast Railways is directed to pay ₹9,23,562/- (Rupees Nine Lakhs Twenty Three Thousand Five Hundred and Sixty Two only) towards compensation to the appellant within four months from the date of this judgment.

54. The amount be deposited directly in the bank account of the Appellant. The Appellant shall provide his bank account details to the respondent-Railway.

55. The Appellant will not be entitled to interest on the amount of compensation to be paid by the Respondent. However, the Appellant would be entitled to get interest @ 7% per annum from the date of this judgment till realization of the amount, if the amount is not deposited within four months.

56. The First Appeal stands disposed of in the aforesaid terms. No order as to costs.

57. Interim order, if any, passed earlier stands vacated.

(Dr.Sanjeeb K Panigrahi)
Judge

Orissa High Court, Cuttack,
Dated the 10th Sept., 2025/