

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 7716 OF 2013  
(@ SPECIAL LEAVE PETITION(C)NO.27603 OF 2012)

MENTE MURALI KRISHNARJUNA  
RAO (D) THROUGH LR. WIFE

... APPELLANT(S)

VERSUS

UNION OF INDIA THROUGH GENERAL  
MANAGER CENTRAL RAILWAY, A.P.

... RESPONDENT(S)

O R D E R

1. Leave granted.
2. This appeal is directed against the judgment and order passed by the High Court of Judicature of Andhra Pradesh at Hyderabad in Civil Misc. Appeal No.303 of 2006, dated 15.09.2011. By the impugned judgment and order, the High Court has set aside the compensation awarded by the Railway Claims Tribunal ('the Tribunal' for short).
3. The appellant before us is the mother of the deceased. In the claim petition filed, it was stated by her that the death of her son was occurred due to the negligence of the Railway Authorities and in support of her claim she had also lead evidence before the Tribunal.
4. The Tribunal, taking into consideration the claim made as well as the evidence on record, had come to the conclusion that the claimant-Petitioner is entitled to a compensation of Rs.4 lacs and accordingly, had passed an appropriate order.

5. Aggrieved by the order so passed by the Tribunal the respondent(s) were before the High Court in Civil Miscellaneous Appeal No.303 of 2006. The High Court, for strange reasons, has set aside the award passed by the Tribunal. Aggrieved by the said order of the High Court, the appellant is before us in this appeal.

6. We have heard Shri V.Sridhar Reddy, learned counsel for the appellant and Shri K.V.Viswanathan, learned Additional Solicitor General, appearing for the respondent(s).

7. We have also perused the judgments and orders passed by the Tribunal as well as by the High Court.

8. Suffice it to say, we are of the considered opinion that the High Court was not justified in setting aside the order passed by the Tribunal. In that view of the matter, we allow this appeal, set aside the judgment and order passed by the High Court and restore the order passed by the Tribunal. No costs.

9. This order shall not be treated as a precedent in any other case.

Ordered accordingly.

.....J.  
(H. L. DATTU)

.....J.  
(M. Y. EQBAL)

NEW DELHI;  
SEPTEMBER 02, 2013