



रेल दावा अधिकरण RAILWAY CLAIMS TRIBUNAL

दिल्ली / DELHI
(प्रधान पीठ / Principal Bench)

13/15, माल रोड, दिल्ली-110 054
13/15, Mall Road, Delhi-110 054

No. RCT/DLI/GZB/2012

Dated: 21.08.2019

The Additional Registrar,
Railway Claims Tribunal,
Ghaziabad Bench.

Sub: Transfer of cases due to change of jurisdiction.

Ref: i) Gazette Notification G.S.R. No. 1136(E) dated 26-11-2018.

ii) Your office letter No. RCT/GZB/CaseTransfer dated 23-07-2019.

iii) RCT Bar Association, Ghaziabad letter No. RCT-BAR-GZB/80/2019
dated 23-07-2019.

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In the Gazette Notification, G.S.R. 1136(E) dated 26-11-2018 by Ministry of Railways, the jurisdiction of 4 districts of Bulandshahar, Gautam Budh Nagar, Bagpat and Meerut have been transferred from Ghaziabad Bench of RCT to Delhi Bench of RCT. On this basis RCT, Ghaziabad sorted out 159 cases for transfer to Delhi Bench and sought approval of Hon'ble Chairman for transfer of the same vide their letter dated 23-07-2019 (under ref. ii).

A representation was made by RCT, Bar Association Ghaziabad dated 23-07-2019 (under ref. iii) to Hon'ble Chairman requesting that before the cases are transferred to the Delhi Bench an opportunity of hearing may be given to the Advocates. The Hon'ble Chairman found their request justified and passed a detailed order dated 21-08-2019. A copy of the order dated 21-08-2019 passed by Hon'ble Chairman is enclosed.

You are advised to circulate this order Member of Bar and also get it posted at a conspicuous place and at notice board of RCT, Ghaziabad.

Sarah Jayal Sawkmie
21.08.19
(Sarah Jayal Sawkmie)
Addl. Registrar

DA -as above

Copy for information and necessary action to:-

1. Court Master RCT, Delhi
2. OS/Court RCT, Delhi
3. PS -II to Hon'ble Chairman

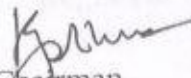
RAILWAY CLAIMS TRIBUNAL
13/15 MALL ROAD
DELHI-110054

No: RCT/DLI/Ghaziabad/2012
Dated: 21.08.2019

ORDER

Taken up in chamber. A representation dated 23.07.19 was received from RCT Bar Association, Ghaziabad, wherein they raised an apprehension that after transfer of jurisdiction of four districts of Bulandshahar, Gautam Budh Nagar, Baghpat and Meerut, all cases pertaining thereto without affording any hearing are being transferred to the Principal Bench at Delhi. On the representation received, comments of Member Judicial, RCT, Ghaziabad were obtained. Member (Judicial), RCT, Ghaziabad in his communication dated 14.08.19 has informed that Ghaziabad Bench has sorted 159 cases for transfer to the Principal Bench at Delhi.

Section 20 of the Railway Claims Tribunal Act, 1987 vests powers in the Chairman to transfer any case on his own motion without notice from one Bench to another Bench of RCT for disposal. The plea raised by RCT Bar Association, Ghaziabad that they be afforded opportunity of hearing before cases are transferred deserves to be accepted. Therefore, this order be widely circulated among the members of Bar that before any case is transferred, counsel for the claimant on the appointed day, can address arguments whether a particular case should be transferred from Ghaziabad bench to the Principal Bench at Delhi or not. This order also be pasted at a conspicuous place at RCT Ghaziabad Bench and also on the notice board. To facilitate and afford hearing to lawyers, it is ordered that all 159 cases which have been sorted out by RCT, Ghaziabad Bench, for the time being, be transferred to the Principal Bench at Delhi. The question of transfer of each case shall be decided after hearing concerned counsel at RCT Delhi Bench, commencing from 26 August onwards. On each day, 10 cases shall be listed for hearing to decide the question of jurisdiction. Additional Registrar, RCT, Delhi Bench is also directed to convey this order to the office bearers of RCT Bar Association, Ghaziabad in response to their aforesaid representation. Cause list of 10 cases of each day be prepared and cases be listed from 26th August 2019 onwards before Chairman, Railway Claims Tribunal. This order be uploaded on the website of RCT, Delhi and Ghaziabad Benches.


Chairman
20.08.2019