

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/LKO/2019

Dated: 30.03.2021

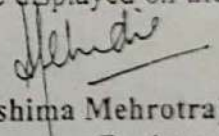
The Additional Registrar  
Railway Claims Tribunal  
Lucknow

Ref.: Meeting held by Hon'ble Chairman with Bar Association RCT, Lucknow

A meeting was held by Hon'ble Chairman on 26.03.2021 at 03: 00 PM virtually through video conferencing with Members of the Bar Association, RCT, Lucknow which was also attended by different stakeholders.

After due consultations, a detailed order dated 30.03.2021 has been passed by Hon'ble Chairman. A copy of the order dated 30.03.21 is sent herewith for information and necessary action.

Copy of this order be uploaded on RCT website and may also be displayed on the notice board for the information of Bar Association.

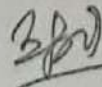
  
(Aashima Mehrotra)  
Registrar

DA/As above.

Copy for information and necessary action to:

1. Sh. A. K. Vajpayee, Hon'ble MT, RCT, Lucknow.
2. Sh. Sunil Mathur, Hon'ble MT, RCT, Delhi. He shall hold Circuit Bench virtually for RCT, Lucknow from 12.04.2021 onward as per item No. 3 of the order.
3. Sh. R.K. Manocha, Hon'ble MT, RCT, Gorakhpur. He shall hold Circuit Bench at RCT, Lucknow from 12.04.2021 to 23.04.2021 as per item No. 6 of the order.
4. Sh. Dhruv Singh, Hon'ble MT, RCT, Ranchi. He shall hold Circuit Bench at RCT, Lucknow from 26.04.2021 to 07.05.2021 as per item No. 7 of the order.
5. Dy. CCM/Claims/NR, NDCR Building, New Delhi.
6. Dy.CCM/Claims/NCR/Head Quarter Office, Subedar Ganj, Allahabad.
7. Dy.CCM/Claims/NER/Head Quarter Office, Gorakhpur.
8. PS to Hon'ble Chairman
9. PO, RCT, Delhi and Lucknow.
10. Court Master, RCT, Delhi.

Display on notice board for information of Bar Association.

  
30/3/2021

## Order

A meeting of Hon'ble Chairman, Railway Claims Tribunal (RCT) accompanied by Shri. Aditya Vajpayee, Hon'ble Member (Technical), RCT Lucknow, Shri. Sunil Mathur and Shri. Vijay Kumar, both Hon'ble Members (Technical), RCT Delhi through videoconferencing was held on 26.03.2021 at 3:00 p.m. with members of the Bar Association, RCT Lucknow.

From the side of RCT, Smt. Aashima Mehrotra, Registrar, RCT Delhi, Smt. Sarah Jayal Sawkmie, Additional Registrar, RCT Delhi, Shri. Arun Dohare, Additional Registrar, RCT Lucknow, Shri. K.P.S. Nirwal, Assistant Registrar, RCT Delhi, Shri N.L. Gandhi, PS to Hon'ble Chairman, Shri. D.S. Bhardwaj, COS, RCT Delhi, Smt. Sonal Behal, Court Master, RCT Delhi, Shri. Jitender, Court Master, RCT Delhi and Shri Ashish Shukla, Sr. Clerk, RCT Lucknow attended the meeting.

Railway officials namely Shri. Kuldeep Tiwari, Dy. CCM (Claims), NR, Shri. Himanshu Shukla, Dy. CCM (Claims), NCR, Shri. S. Seth, Dy. CCM (Claims), NER, Shri. Y.P. Tripathi, P.O., RCT Lucknow, Shri. J.N. Meena, P.O., RCT Delhi, Shri. Arvind Tripathi, CLA, NER and Shri. S.M. Tiwari, CLA, NR were also present to address the grievances of the members of the Bar on behalf of the Railways.

The advocates practicing at RCT, Lucknow on behalf of the claimants who participated in the meeting were Shri. M.K. Mishra, President, Bar Association, RCT, Lucknow, Shri. C.P. Singh, Secretary, Bar Association, RCT, Lucknow, Shri. P.K. Singh, Shri. J.P. Verma, Shri. Om Hari Tripathi, Shri. Abhishek Pratap Singh, Shri. S.K. Singh, Shri. Prabhat Kumar Sharma and Shri. Pradeep Singh.

The advocates from the respondent side practising at RCT Lucknow who participated in the meeting were Shri. S.K. Shukla, Shri. Mukesh Nigam, Shri. A.V. Singh, Shri. Aki Ahmed, Shri. Bhanu Pratap Pal, Shri. Vijay Verma, Shri. Manish Srivastava, Shri. Deepak Shukla, Shri. S.M. Tripathi, Shri. R.S. Tiwari, Ms. Namita Sharma, Shri. H.S. Gautam, Shri. Bhupendra Singh, Shri. N.L. Pandit, Shri. Anoop Bajpai and Shri. Arun Gupta.



In the Meeting, the Members of the Bar ventilated their grievances. The Railway officials assured them that in respect of Awards already pronounced, the payments shall be made at the earliest to the Decree holders. They also assured that the Written Statements along with DRM reports shall be filed promptly and that unnecessary adjournments shall not be sought by the advocates appearing on behalf of the respondent Railways.

Hon'ble Chairman, RCT conveyed to the members of the Bar that in judicial matters which have attained finality, the concerned party be advised to take legal recourse to lawful remedy for redressal of grievances. In respect of matters pertaining to the judicial side, refrain is the only course available and it is not advisable to discuss the same in the meeting. However, on the administrative side, all efforts shall be made to take remedial measures to resolve the problems faced by the members of the Bar and to mitigate the suffering of the litigants.

The Hon'ble Chairman agreed and expressed his concern that at Lucknow there is a docket explosion and that arrears have mounted resulting in the pendency of about 5,101 cases. As a result, thereof, the listing of cases before a Single Member takes a long time. There is a need to curb long adjournments so that the turn of each case, at various stages mature after a gap of one month. Acceleration in listing is required so that cases quickly reach the final stage of Arguments.

Hon'ble Chairman shared the vision of members that where pendency of cases is more than a decade old, the administration of justice requires that delays should not be permitted to defeat justice. Speedy dispensation of justice requires that at Lucknow a pilot project be initiated on an experimental basis by making more members available for short durations so that the cases mature and reach the final stage of Arguments at the earliest. When half of the cases reach the stage of arguments, more members can be requested to decide the cases listed for Arguments.

In the meeting, the views of the members of the Bar were heard and the officials also participated in the meeting. As a result of the consultative process, the following broad consensus was arrived at in the meeting:

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- a. A Member of the Bench may be requested to take up 1321 cases pending for filing of Written Statement along with the DRM Report and 393 cases for Framing of Issues. The said Member shall also hear 747 Miscellaneous Applications. The participants in the meeting agreed that the learning during the COVID-19 pandemic manifesting in the use of modern technology through video conferencing platforms can be utilised to conduct a Virtual Court at RCT, Lucknow with regards to cases noted above i.e. filing of Written Statement along with the DRM report, Framing of Issues and deciding Miscellaneous Applications.
  - b. 1584 cases at the stage of recording Applicant Evidence and 260 cases at Respondent Evidence can be assigned to one Member.
  - c. A request can be made to the Administrative Member, RCT, Lucknow to dedicate himself to decide 654 cases of Arguments, 109 cases at the stage of Further Proceedings and 33 cases of Appeal.
  - d. Registrar, RCT, Principal Bench shall take up the matter on the administrative side with the concerned Principal Chief Commercial Managers of the zones, Dy. CCMs of NR, NCR and NER and concerned DRMs as she deems fit to ensure the early filing of Written Statements and DRM Reports. She may coordinate with the respective officers and POs to hasten the filing of Written Statements and DRM Reports.
  - e. Registrar RCT, Principal Bench, shall also work out the modalities with all concerned to ensure swift, quick and early disposal of payment to the litigants in whose favour the award has been passed so that Execution Applications are promptly decided or the number of their filing is reduced.

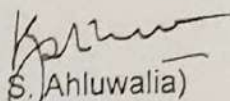
To give effect to the broad consensus arrived in the Meeting, the Hon'ble Chairman issued the following directions:

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4. Commencing from 1<sup>st</sup> of April, 2021 ADR Lucknow, after taking directions from the concerned Hon'ble Member shall prepare the list of cases. To begin with, the cases to be listed before the respective bench shall be prepared for one week in advance. Later on, it shall be an endeavour to publish, circulate and upload the list of each respective Bench one month in advance. The proposed benches shall commence hearing of cases with effect from 12<sup>th</sup> of April, 2021.



2. All cases pending for filing of Written Statement along with DRM Reports, Framing of Issues and Miscellaneous Application shall be listed before Shri. Sunil Mathur, Hon'ble Member (Technical), RCT Delhi.
3. Shri. Sunil Mathur, Hon'ble Member (Technical), RCT Delhi, shall hold court at RCT, Lucknow through virtual mode at Delhi to pass necessary orders in respect of category noted as (a) in the Clause of Consensus till the cases reach the stage of Applicant Evidence. He shall hold Virtual Court in respect of matters pertaining to RCT Lucknow from 12<sup>th</sup> April 2021 onwards.
4. Shri. Sunil Mathur, Hon'ble Member (Technical), RCT Delhi shall work out the logistics with Shri. Aditya Vajpayee, Hon'ble Member (Technical), RCT Lucknow and shall give necessary directions to ADR Lucknow.
5. Shri. Sunil Mathur, Hon'ble Member (Technical), RCT Delhi is requested by the Hon'ble Chairman to list preferably 50 or more cases, as per his convenience so that he is free at the earliest to resume his Bench at RCT, Delhi.
6. Shri. Raj Kumar Minocha, Hon'ble Member (Technical), Gorakhpur Bench shall hold Circuit Bench at Lucknow from 12.04.2021 till 23.04.2021 to record evidence of cases listed for Applicant and Respondent Evidence.
7. Shri. Dhruv Singh, Hon'ble Member (Technical), RCT, Ranchi shall hold Circuit Bench at Lucknow from 26.04.2021 to 7.05.2021 to record evidence of cases listed for Applicant and Respondent Evidence.
8. On each date, ADR Lucknow, shall list 35 cases before the Bench for recording of Applicant and Respondent Evidence.
9. Five cases of Argument stage shall also be listed before the Bench assigned to record Applicant and Respondent Evidence so that the same are taken up by the Bench for adjudication in case the witnesses initially do not turn up for recording of evidence.
10. The cases ripe for Arguments and Further Proceedings shall be listed before Shri. Aditya Vajpayee, Hon'ble Member (Technical), RCT Lucknow from 12.04.2021 along with Appeal cases.
11. Shri. Aditya Vajpayee, Hon'ble Member (Technical), RCT Lucknow being the administrative member is requested to coordinate the smooth listing and success of the experiment initiated namely the Pilot Project as a mission for delivery of speedy justice.

12. The Hon'ble Chairman shall hold Circuit Bench at Lucknow in the third week of May, 2021 in consultation with Shri. Aditya Vajpayee, Hon'ble Member (Technical), RCT Lucknow. Hon'ble Chairman shall upon the invitation of the Bar also hold a meeting with members of the Bar to review the functioning of the Pilot Project taken as a mission for dispensation of speedy justice.

  
(K. S. Ahluwalia)  
Chairman, RCT  
Dated: 30.03.2021