

# VERDICTUM.IN

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CIVIL APPEAL NO.7116/2017

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.7116/2017

STATION SUPERINTENDENT & ANR. Appellant(s)

VERSUS

SURENDER BHOLA Respondent(s)

O R D E R

Heard Mr. Rajan Kumar Chaurasia, learned counsel for the appellant.

Despite service of notice, no one appears for the respondent although the matter is pending for the last eight years.

The respondent raised a claim before the District Consumer Forum stating that while he was travelling in a train and was carrying Rs.1 lakh in cash in a belt tied around his waist, the same got stolen and as such the Railways should reimburse the said loss.

The District Consumer Forum allowed the same by awarding Rs.1 lakh to be paid by the appellant(s). The State Consumer Dispute Redressal Commission and the National Consumer Disputes Redressal Commission dismissed the appeal(s).

We fail to understand as to how the theft could be said to be in any way a deficiency in service by the Railways. If the passenger is not able to protect his own belongings, the Railways cannot be held responsible.

Accordingly, we allow the appeal and set aside the orders passed by the National Consumer Disputes Redressal Commission, State Consumer Dispute Redressal Commission and the District Consumer Forum.

.....J.  
[VIKRAM NATH]

.....J.  
[AHSANUDDIN AMANULLAH]

NEW DELHI;  
JUNE 15, 2023.

ITEM NO.110

COURT NO.8

SECTION XVII-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 7116/2017

STATION SUPERINTENDENT & ANR.

Appellant(s)

VERSUS

SURENDER BHOLA

Respondent(s)

Date : 15-06-2023 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VIKRAM NATH  
HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH  
(VACATION BENCH)

For Appellant(s) Mr. Rajan Kumar Chourasia, Adv.  
Mr. Merusagar Samantaray, Adv.  
Ms. Sweksha, Adv.  
Mr. Amrish Kumar, AOR  
Mrs. Anil Katiyar, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

The appeal is allowed in terms of the signed order.

Pending application, if any, stands disposed of.

(ASHA SUNDRIYAL)  
ASTT. REGISTRAR-cum-PS

(RANJANA SHAILEY)  
COURT MASTER (NSH)

[Signed order is placed on the file]