

DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION, NAGPUR

**New Administrative Building
5th Floor, Civil Lines,
Nagpur-440 001
0712-2548522**

**Complaint Case No. CC/275/2020
(Date of Filing : 11 Aug 2020)**

1. MRS. R. SRIDEVI

R/O. NISHIGANDH APARTMENT, 7, GOKULPETH,
NAGPUR-440010

NAGPUR

MAHARASHTRA

.....Complainant(s)

Versus

1. THE DIVISIONAL RAILWAYS MANAGER (COMMERCIAL) CENTRAL RAILWAY NAGPUR

NAGPUR-440001 PH.NO. 0712-2560736

NAGPUR

MAHARASHTRA

2. ITCTC

B 148, 11TH FLOOR, STATESMAN HOUSE,
BARAKHAMBHA ROAD, NEW DELHI-110001

DELHI

DELHI

.....Opp.Party(s)

BEFORE:

HON'BLE MR. ATUL D. ALSI PRESIDENT

HON'BLE MRS. CHANDRIKA K. BAIS MEMBER

HON'BLE MR. SUBHASH R. AJANE MEMBER

PRESENT:

Dated : 21 Oct 2022

Final Order / Judgement

Passed by Shri Atul D. Alsi, Hon'ble President.

1. The complainant filed present complaint against cancellation of reserve ticket from Nagpur to Mumbai and not allotment of alternative accommodation thereby claiming compensation of Rs.2,00,000/-alongwith cost of litigation of Rs.2,00,000/-

Facts of the case are as under...

2. The complaint booked online ticket from his debit card bearing PNR No.8126631992 from Nagpur to Mumbai at Coach S-7, berth No 57 on 14.2.2020 and another ticket from Mumbai to Nagpur having PNR No.8126632471 at coach S-1, berth no.52 on 16.2.2020 and paid necessary charges on

2.11.2019. The complainant while travelling boarded the train on dated 14.2.2020. The TTE while checking tickets has refused to accept the ticket due to its genuineness and ask to pay fine and vacate the berth and complainant was compel to pay Rs.1115/- towards penalty and had to travel to sleep on floor during the entire journey from Nagpur to Mumbai. The complainant successfully conveyed the journey returning from Mumbai to Nagpur for ticket were books simultaneously on same website for inconvenience cause to the complainant moved application to opposite party Nos.1 for seeking compensation for mental torture and suddenly cancellation of ticket without due notice. The opposite party No.1 replied but failed to pay appropriate relief, therefore present complaint is filed.

3. Opposite party No.1 filed reply, The Inspector General of Cyber Crime office at Mumbai through his list online dated 10.2.2020 about unauthorised train tickets. The Senior Divisional Security Commandant has forwarded same to RPF Thana, Nagpur on 11.2.2020 and during the investigation raid was conducted in the shop of Shankar Vittal Ninawe situated at Chimurkar Apartment, Chichbhuvan bus stop, Nagpur. During interrogation the accused Shankar Vittal Ninawe admitted that the ticket was procure from his IP Address. He had further admitted that out of said list 14 tickets he had procured from the same different personal user ID and from same IP address, therefore RPF Police has registered the Complaint No. 353/2020, U/S 143 of Railway Act and the accused was arrested on 11.2.2020. Therefore a letter received from inquiry officer dated 12.2.2020 requested to Chief Reservation Supervisor, Central Railway, Nagpur office informing that the above mentioned reservation 14 journey tickets were illegally made by outsider namely Shankar Ninawe in connection with illegal business of railway reservation ticket and therefore in pursuance of the same the said tickets were blocked. Therefore there is no negligence on the part of opposite party. Hence the case is liable to be dismissed.

A.

4. On dated 2.1.2019 the complainant booked E-ticket from her personal IRCTC-ID for journey Nagpur to Mumbai on dated 14.2.2020 by train No.12290, Duranto express and return journey on dated 16.2.2020 from Mumbai to Nagpur in reserved coach. The complainant completed the journey from Mumbai to Nagpur successfully but the journey from Nagpur to Mumbai on dated 14.2.2020 the opposite party No.1 refused to accept the ticket of complainant as it was cancelled for the investigation carried by railway police in respect of 14 fake tickets purchased found with ID of unauthorised railway ticket agent Shankar Ninawe and offence to that effect came be registered U/S-143 of Railway Act for procuring and selling of unauthorised tickets.
5. The Inspector General of Cyber Crime Mumbai communicated the list of unauthorised train tickets on dated 10.2.2020 and offence to that effect has been registered on dated 11.2.2020 at RFP Police Station, Nagpur but the opposite party No.1 failed to communicate the message for cancellation of ticket prior to commencement of journey in advance so that the complainant can make alternative arrangement to reach at destination. The complaint is neither accused nor allegation of involvement in crime in respect of fake ticket when the offence has been registered about fake ticket. For cancellation of ticket without giving intimation well in advance or fail to make alternative arrangement for the schedule journey by opposite party No.1 does amount to deficiency in service and for inconvenience and for mental torture suffered by complainant the opposite party No.1 is liable to

pay compensation of Rs.25,000/- along with cost of litigation of Rs.10,000/- . The opposite party No.2 has no role in the incident of allegation of fake ticket therefore no order is passed against opposite party No.2. Hence the following order.

- QCDR.
- a. The complaint is partly allowed.
 - b. The O.P.No.1 is directed to pay Rs.25,000/- as compensation along with cost of litigation of Rs.10,000/- to the complainant.
 - c. No order against opposite party No.2.
 - d. Copy of order be furnished to both parties, free of cost.

[HON'BLE MR. ATUL D. ALSI]
PRESIDENT

[HON'BLE MRS. CHANDRIKA K. BAIS]
MEMBER

[HON'BLE MR. SUBHASH R. AJANE]
MEMBER