

CPC, O. 33 – Access to justice cannot be denied to an individual merely because he does not have the means to pay the prescribed fee – Such a view would leave indigent persons without a remedy – It is, therefore, essential that the provisions of the Act and the Rules must be broadly interpreted to ensure access to justice – If a claimant is left without redress even if he has a valid claim against the railway administration merely because he is an indigent person, it would be a sad day and the poor will lose confidence in the system – When an indigent person approaches the Tribunal for compensation for the wrong done to him, the Tribunal cannot refuse to exercise jurisdiction merely because he does not have the means to pay the fee. In such a situation we think the ends of justice require that the Tribunal should follow the procedure laid down in Order 33 of the Code to do justice for which it came to be established – Railway Claims Tribunal Act 1987, S. 16 – Railway Claims Tribunal (Procedure) Rules, 1989.

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