

CASE LAW UPDATES

Case Brief : Union of India v. Radha Yadav

Hanspal Bakul · 16 Oct 2026

Bench: Ahsanuddin Amanullah and R. Mahadevan JJ.

The case brief on **Union of India vs. Radha Yadav** fundamentally shapes the legal landscape surrounding **strict liability for railway accidents** in India.

Decided by the Supreme Court of India, this ruling heavily clarifies the concept of "no-fault liability" for "untoward incidents" under Section 124-A of the Railways Act, 1989.

Facts

The Supreme Court is hearing a long-running matter on passenger safety and the prevention of untoward incidents on trains. Insurance cover is currently given only to those who book tickets online and pay a small extra amount. Passengers who buy tickets at station counters get no such cover, and they are mostly from the poorest sections of society.

Earlier, the Court gave the Railways time to design a way to extend cover to counter-ticket buyers. The Court also noted that the budget allocated for safety measures was not being fully used. When the matter came up on 6 October 2026, the Court found that nothing had moved on the ground.

Arguments

Union of India (Railways): Through the Additional Solicitor General, the Railways said that **all necessary steps were being taken and that safety measures were progressing.** After the order was dictated, the ASG asked for one last chance to file an affidavit. It would set out the work actually done in the past year, *explain why targets (especially track fencing) were missed, and describe how the targets would be met.*

Amicus Curiae (Senior Advocate Shikhil Suri): The Railways treat online and counter ticket buyers differently for insurance without any good reason. Counter buyers are the passengers who most need cover. He also pointed to the **lack of any real response from the Railways and the**

shortfall in using safety funds.

Issues

- Whether the Railways can continue to offer accident insurance *only to online ticket buyers and deny it to counter-ticket passengers.*
- What the Court should do about the *Railways' failure to turn repeated assurances into action.*

Judgement

The Court ordered that from 27 October 2026, all tickets sold over the counter at every railway station must carry insurance on the same terms as online tickets. This is mandatory, and if it is not done, the responsibility falls directly on the Railway Board.

The Court expressed strong displeasure that the Railways' assurances had stayed on paper and that safety funds had not been fully used. It directed the Chairman and Members of the Railway Board to appear in person on 16 November 2026 at 3:00 pm.

It also warned that it may have to consider whether the Board, as currently constituted, should continue in office if there is no real progress.

Ratio Decidendi (Interim Measures)

Where an authority fails to act despite repeated opportunities and assurances the Court can issue mandatory, time-bound directions to protect the safety of ordinary passengers.

It can also fix accountability on the head of the body. **Basic accident insurance cannot depend on whether a passenger buys a ticket online or at a counter.** *Since this is an interim order in a continuing matter, treat it as binding directions to the Railways and not a general precedent of law.*