

Case No.192/2019

1222-1223

09/09/25

DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION-II
Udyog Sadan, C-22 & 23, Qutub Institutional Area
(Behind Qutub Hotel), New Delhi- 110016

55135

Case No.192/2019

Saurav Raj
S/o Mahesh Prashad Sah
R/o House No.114 Bhai Parmanand Colony (East),
New Delhi-110009

...Complainant

Versus

Indian Railway Catering and Tourism Corporation Ltd (IRCTC)
B-148, 11th Floor, Statesman House, Barakhamba Road, New Delhi-
110001

....Opposite Party

Date of Institution :08.07.2019
Date of Order : 28.08.2025

Coram:

Ms. Monika A Srivastava, President
Ms. Kiran Kaushal, Member

ORDER

Member: Ms. Kiran Kaushal

1. Complainant on the strength of his complaint has prayed for compensation of Rs. 5,00,000/- to the complainant for causing mental agony torture and harassment. Complainant has alleged deficiency of service against IRCTC Ltd, hereinafter referred to as OP.
2. It is stated that complainant was traveling from New Delhi to Jasidih, Jharkhand on Poorva Express on 28.12.2018 and was served Veg Biryani of Rs. 80/-. The Veg Biryani served to the complainant was unhygienic and contained dead white worm of huge size. It is stated that on consuming the said the Veg Biryani complainant's health got deteriorated, he started vomiting and had a severe abdominal pain. Complainant was traveling alone and was totally helpless as there was no option for treatment in the running train. It is stated that complainant had food poisoning which was the result of grave negligence of OP.

(Handwritten signature)



3. It is stated that stated it complainant wanted to complain and ask for the register to file his complaint. It is stated that initially, he was denied the register but finally he managed to complain which is registered on Number 139. It is stated that after few minutes a vendor of IRCTC (OP) called him and asked the complainant to take his complaint back. It is stated that the complainant as it is was suffering from pain and vomiting however, the representatives of OP kept pressurizing him to take the complaint back, which was leading to mental trauma further. It is stated that the complainant was compelled to write that the worm was alive and not dead as it might have fallen from somewhere and it is not the fault of OP.
4. It is next stated that after de-boarding at Jasidih the complainant had to travel further 72 Kms to reach his home in Dumka. The complainant was not was not feeling well and he had to take a cab to reach his house as the public bus was to arrive after two hours. It is stated that on reaching his home the complainant straight away went to the hospital for treatment and the doctor asked him to get himself admitted in the hospital and the doctor looking at the critical condition asked the complainant to get admitted in the hospital but after one and a half days' journey, the complainant requested the doctor to prescribe the medicines and give him an injection. IT is stated that three bottles of Saline Water was given to the complainant to compensate for the dehydration and for the next four days the complainant had to take an injection and medicines for the next whole week.
5. Alleging deficiency of service complainant filed this complaint for redressal of his grievance.
6. Evidence and Written Submissions have been filed on behalf of the complainant.
7. Despite due service none appeared on behalf of OP, therefore OP was proceeded exparte wide order date 10.12.2021.
8. Complainant in support of his case has filed following documents -
9. Copy of the written complaint dated 28.12.2018 which is duly signed by the complainant and a witness by the name of Sarwagya Pen drive



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wherein the whole incident is recorded. Photocopy of the ticket which shows that the complainant was to arrive at Jasidih Junction on 28th December, 2018, Receipt of Sadar Hospital Dumka, Jharkhand dated 28.12.2018, Photocopy of the mail from Indian Railways Web Portal wherein railways had deeply regretted the inconvenience caused to the complainant and informed that the concerned service provider has been warned and suitable monetary penalty has been imposed.

10. We have seen the pen drive filed with the complaint , a big white worm is clearly visible in the Biryani served to the complainant. On perusal of the documents above it is evident that the complainant had complained about the Veg Biryani being served unhygienically with a huge dead white worm. Due to the consumption of such dirty, unclean food complainant fell sick. Upon deboarding the train, complainant went to the hospital where certain medicines and injections were prescribed. Complainant had to undergo lot of inconvenience and mental agony due to negligence and deficiency of service by OP.

11. Though, OP has tendered an apology to the complainant and has informed that the concerned service provider has been warned and suitably monetary penalty has been imposed, it does not suffice for the physical and mental trauma the complainant had to go through. It is expected of OP to maintain certain standards and to check the quality of food being served to the consumers while travelling in the train.

12. In light of the discussion above, OP is found to be deficient in service and is directed to pay Rs.25,000/- towards compensation, for shortcoming in the quality of the food served to the complainant. OP is to pay the above stated amount within 03 months from the date of order failing which OP shall pay Rs.25,000/- with interest @6% p.a till realization.

Parties be provided copy of the judgment as per rules. File be consigned to the record room. Order be uploaded on the website.



(Kiran Kaushal)
Member

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RECORDED
DCDR-C
SOUTH-I

(Monika A Srivastava)
President

Date of Application for Certified Copy 31/10/25
Prepared on 28/10/25
Delivered on 28/10/25