**Obwoya v Railways Corporation**

**Division:** High Court of Uganda at Kampala

**Date of judgment:** 28 February 1974

**Case Number:** 59/1971 (71/74)

**Before:** Nyamuchoncho J

**Sourced by:** LawAfrica

*[1] Workmen’s Compensation – Accident – Arising out of and in course of employment – Workman on*

*employer’s premises returning to work – Employer liable.*

**Editor’s Summary**

The appellant was employed by the respondent. He was knocked down and injured by a railway wagon

while on his employer’s premises and returning to work from his lunch.

The question was whether the accident arose out of and in the course of the appellant’s employment.

The respondent argued that the route taken by the appellant to his work was not known to it.

**Held –**

(i) what the appellant was doing in returning from lunch was reasonably incidental to his

employment;

( ii) the accident arose out of and in the course of his employment (*R. v. Industrial Injuries*

*Commissioner ex. p. A.E.U.* (No. 2) (1) followed);

(iii) the respondent had not forbidden the appellant to use the route he did.

Appeal allowed.

**Cases referred to Judgment:**

(1) *R. v. Industrial Injuries Commissioner*, *Ex. p. A.E.U.* (No. 2), [1966] 2 Q.B. 31.