

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

FIRST APPEAL NO. 2630 OF 2015

ATHAR ALI IZHARUL HAQUE AND ANOTHER
VERSUS
UNION OF INDIA THR GENERAL MANAGER, CENTRAL RAILWAY,C.S.T.
MUMBAI

...
Advocate for Appellants : Vishnu B. Madan
Advocate for Respondents :Navandar Manish N. For Resp

...

FIRST APPEAL NO. 2631 OF 2015

VASANT DAGADU BHALERAO AND ANOTHER
VERSUS
UNION OF INDIA THROUGH GENERAL MANAGER, CENTRAL
RAILWAY C.S.T. MUMBAI

...
Advocate for Appellants : Vishnu B. Madan
Advocate for Respondents :Navandar Manish N. For Resp

...

FIRST APPEAL NO. 2632 OF 2015

SHAKUNTALA MANIK BARSKAR
VERSUS
UNION OF INDIA THROUGH GENERAL MANAGER, CENTRAL
RAILWAY C.S.T. MUMBAI

...
Advocate for Appellant : Vishnu B. Madan
Advocate for Respondents :Navandar Manish N. For Resp

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CORAM : S.V.GANGAPURWALA,J.

DATED : 12TH OCTOBER, 2015

ORDER :-

1] In all these matters, the present appellants had filed applications for compensation before Railway Claims Tribunal

seeking compensation. Alongwith said applications for compensation they had filed applications for condonation of delay. The applications for condonation of delay are rejected. Aggrieved thereby, the present appeal.

2] Mr.Madan, learned counsel for the appellants submits that the grounds put forth by the present appellants for condonation of delay has not been considered at all by the tribunal. The tribunal has rejected applications without applying its mind in correct perspective and without considering the reasons put forth in the applications. The learned counsel submits that the applicants are poor labourers who are coming from lower class of the society. Much time was lapsed in getting the documents so also contacting the advocate. They were not aware of where the applications are to be filed. All these aspects were put forth in the applications. Still the same has not been considered at all. No reasons are given by the tribunal while rejecting the applications.

3] Mr.Navandar, learned counsel for respondents submits that the applications were vague, no details were given. The applications did not come within the ambit and manner of sufficient cause, as such, the tribunal has rightly rejected the said applications, no error has been committed by the tribunal by rejecting the said applications.

4] With the assistance of learned counsel, I have gone through the order. Perused the grounds put forth in the applications. The tribunal while exercising power under the statute, was considering the applications under beneficial legislation. If the applications were to be rejected, reasons were required to be given. The reasons depict the application of mind of the authority passing the order. The reasons are one of the important concomitants of the principles of

natural justice. The impugned order lacks any reasons. Such an order cannot be sustained. In the light of above, impugned orders are quashed and set aside. Parties are relegated before Railway Claims Tribunal. The Railway Claims Tribunal shall decide applications filed by present applicants for condonation of delay afresh and consider grounds put forth by the present applicants and while deciding the said applications, shall give reasons. The parties shall appear before the concerned Tribunal on **16/11/2015**. First Appeals are accordingly disposed of. No costs. In view of disposal of Appeals, Civil Applications are disposed of.

[S.V.GANGAPURWALA,J.]

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