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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **FAO 327/2015 and CM No.22739/2015 (condonation of delay of 140 days in filing the appeal)**

OMAKARI & ORS

..... Appellants

Through: Mr. Yogesh Swroop, Advocate

versus

UNION OF INDIA (MINISTRY OF RAILWAY) Respondent

Through

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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09.10.2015

1. Even according to the appellants, there is a delay of 140 days in filing the appeal.

2. On merits, the appellant has assailed the judgment of the Tribunal dated 23.01.2015. It is submitted before me by the learned counsel for the appellants that appellant no.1's husband Late Sh. Beerbal was a bonafide passenger and that his death on 03.07.2012 came about on account of the deceased falling out of the train due to rush in the compartment.

2.1 The Tribunal, on the other hand, has dismissed the claim made by the appellants herein, on the ground that the death report filed by the appellants before it clearly indicated that the cause of death was natural.

3. The learned counsel for the appellants has not been able to

place anything before me to demonstrate that the finding returned by the Tribunal is perverse.

4. In these circumstances, the appeal is dismissed. Consequently, the application has been rendered infructuous. The same is accordingly, dismissed.

RAJIV SHAKDHER, J

OCTOBER 09, 2015

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