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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.8826 OF 2014**

Mr. Abhijit Shriram Nimkar

... Petitioner

Versus

The Union of India

... Respondent

None for the Petitioner.

Mr. T.J. Pandian for the Respondent.

CORAM : A.S. OKA, J.

DATE : 22nd NOVEMBER, 2016

P.C.

1 None appears for the Petitioner. The Petitioner filed a claim application before the Railway Claims Tribunal at Mumbai claiming compensation on account of death of his father in alleged untoward incident. There was a delay in filing the claim Petition. By the impugned order, the Railway Claims Tribunal has declined to condone the delay.

2 Under Sub-Section (1) of Section 23 of the Railway Claims Tribunal Act, 1987, an Appeal is provided to this Court from every order, not being an interlocutory order. The order dismissing application for condonation of delay cannot be an interlocutory order as the same

has the result of dismissal of the claim Petition. In view of availability of efficacious remedy under Sub-Section (1) of Section 23 of the Railway Claims Tribunal Act, 1987, it is not necessary to entertain this Petition under Article 227 of the Constitution of India. Accordingly, by keeping open the statutory remedy, the Petition is disposed of. All contentions on merits are kept open.

(A.S. OKA, J)