

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

MISC. CIVIL APPLICATION NO.416 OF 2017
IN FIRST APPEAL ST. NO.5762 OF 2017

(Sameena Begum wd/o Shaikh Mujib and others vs. Union of India and another)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's orders
or directions and Registrar's orders.

Ms. A.P. Murray, Advocate h/f Shri S.K. Sable, Advocate
for applicants.

Shri A.M. Balpande, Advocate for respondent no.2.

CORAM : P.N. DESHMUKH, J.

DATED : OCTOBER 31, 2017

Heard Ms. Murray, learned Counsel for
applicants, and Shri Balpande, learned Assistant
Government Pleader for respondent no.2. None for
respondent no.1 Union of India.

This application is filed by legal heirs of
deceased Sheikh Mujib, who died of accidental death
while travelling in Train from Nanded to Nizamabad on
24/5/2014.

It is submitted by Ms. Murray, learned
Counsel for applicants, that claim of applicants was
rejected by Railways Claims Tribunal against which they
preferred appeal. However, due to their poor financial
condition, they are not in a position to pay Court fee and
have thus filed this application for permission to file
appeal as indigent persons.

In response to notice issued by this Court,
learned Assistant Government Pleader has placed on

record reports from Collector, Nanded, Assistant Commissioner, Municipal Corporation, Nanded and Tahsildar, Nanded certifying that applicants do not possess any immovable property in Nanded District.

Having considered reports as aforesaid, it is established that applicants are unable to pay the Court fee. In the circumstances, application is allowed.

Office to register First Appeal.

Issue notice to respondents, returnable on 21/11/2017.

JUDGE

khj