

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

WRIT PETITION NO. 7465 of 2018

Smt. Nalinibai Sunil Icchapurkar and others **...Petitioners**

VERSUS

The Union of India,
through the General Manager,
Central Railway Zone, CST, Mumbai **...Respondent**

Mr Mukul S. Kulkarni, Advocate for petitioners
Mr M.N. Navandar, Advocate for respondent.

CORAM : SUNIL P. DESHMUKH, J.

DATE : 11th July, 2018

ORDER :

1. Learned counsel for the respondent states that challenge to impugned judgment and award passed by Railway Claims Tribunal, Nagpur, in claim application No. MA/NGP/2014/0040 dated 18th June 2015, would have to be in different form. Having regard to section 23 of the Railway Claims Tribunal Act, 1987 challenge to impugned order will have to be in the form of appeal.
2. Learned counsel for petitioners urges to convert the writ petition into an appeal.

3. Learned counsel for the respondent has no particular objection, save, he apprehends that in such a case, question of limitation may arise.

4. In the circumstances, writ petition is allowed to be converted into appeal, as required under section 23 of the Railway Claims Tribunal Act, 1987 subject to question of limitation. In case, appeal is delayed, petitioners may file application for condonation of delay and period consumed in pendency of the writ petition may be given appropriate treatment in such a case.

5. All necessary papers and procedural aspects as required by office be taken care of by petitioners.

**(SUNIL P. DESHMUKH)
JUDGE.**

Madkar