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

+ **FAO 52/2015**

BALENDER & ANR Appellants

Through: Mr. N.K. Gupta, Advocate.

versus

UNION OF INDIA Respondent

Through: Mr. Rajeshwar Singh, Advocate.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **25.04.2018**

The appellants' claim petition for compensation was dismissed by the Railway Claims Tribunal by the impugned order dated 27.11.2012 on the ground that there was an element of forgery apropos the documents filed by the claimants. The Tribunal was of the view that the claimants had not come to court with clean hands. Hence, in view of the judgments referred to, the petition was dismissed not on merits but only on the ground of the doubtful nature of identity of the documents.

The learned counsel for the respondent submits that there is a delay of 708 days in preferring this appeal, which has not been condoned by the Court.

At this stage, the learned counsel for the appellants seeks to withdraw the appeal with liberty to pursue legal remedies, as may be available in law.

In view of the above, the appeal is dismissed as withdrawn. Liberty

granted. However, the issue of delay of 708 days as well as the observations in the impugned order would nevertheless have to be considered by the forum, wherever the appellants may prefer their claim.

NAJMI WAZIRI, J

APRIL 25, 2018

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