

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL JURISDICTION
CIVIL APPLICATION NO. 4106 OF 2017
IN
FIRST APPEAL (ST) NO. 4343 OF 2017

Mrs. Mumtaz Farukh Khan and Anr. .. Applicants

Versus

Union of India through
The General Manager,
Central Railway, Mumbai. .. Respondent

...

None for the Applicant.

CORAM: BHARATI DANGRE, J.

DATED : 30th AUGUST, 2019.

P.C:-

1. None for the applicants.
2. Civil Application No. 4106/2017 is filed seeking condonation of delay of 58 days in filing the First Appeal, challenging the order passed by the Railway Claims Tribunal, Mumbai in O.A. No. 185/2012. The applicant who is the mother of the deceased who has succumbed to an accident and who had approached the Railway Claims Tribunal, has stated that there is

no source of living and she is unable to bear the expenses of litigation and hence, delay of 58 days has occasioned in availing necessary funds to set the legal claim.

3. The reason cited in the application appear to be bonafide and sufficient enough to condone the delay of 58 days.

4. In such circumstances, I am inclined to condone the delay and allow Civil Application No. 4106/2017 in terms of prayer clause (a).

5. Registry is directed to register the First Appeal and upon registration of the same, issue notice to the respondent, returnable after 6 weeks.

SMT. BHARATI DANGRE, J.