

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION.**

**CIVIL APPLICATION NO. 394 OF 2015
IN
FIRST APPEAL (ST) NO. 11348 OF 2014**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
---	---------------------------

Mr. J.S. Gaikwad for the Applicant.

**CORAM : K. K. TATED, J.
DATE : 05/04/2019**

P.C.:

- . Heard learned Counsel for the Applicant.
- 2 Applicant is permitted to carry out the amendment in prayer clause (b) during the course of the day.
- 3 By this Civil Application, the Applicant is seeking condonation of 293 days delay in filing First Appeal challenging the Order dated 25.03.2013 passed by the Railway Claims Tribunal, Mumbai Bench, Mumbai in MCC/2011/003 in OA No. 2002/58. OA was dismissed for default. Hence, Claimant preferred application for restoration. Same was also dismissed.
- 4 Considering the submissions made by the learned Counsel for the Applicant and averments made in Civil Application, I am satisfied that

Applicant has made out a case for allowing the Civil Application.

5 Hence, Civil Application is allowed in terms of prayer clause (b) which reads thus:

(A) “b) *That this Hon'ble Court be pleased to condone the delay of 293 days in filing the abovementioned First Appeal against the Judgment and Order dated 25th March 2013 passed by the Railway Claims Tribunal in RES/MCCC/003 of 2011.*”

(B) Civil Application stands disposed of accordingly.

(K.K.TATED, J.)