

Tikam

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL APPLICATION No. 292 OF 2018
IN
FIRST APPEAL (ST) No. 15269 OF 2017

Smt. Jaishree Ajit Mistry and Ors.	...Applicants
Vs.	
Union of India	
Through General Manager,	
Central Railway	...Respondents

Mr. Vaneet Khosla for Applicants

CORAM : SHRI K.K. TATED, J.

DATE : MAY 02, 2019

P.C.:

1. Heard learned counsel Mr.Vaneet Khosle for the Applicants.
2. Though the Respondents are duly served, no one appeared on behalf of the them, when the matter was called out.
3. By this civil application, the Applicants/ Original Claimants are seeking condonation of 173 days' delay in filing the First Appeal challenging the judgment and award dated 21st April, 2016 passed by the Railway Claims Tribunal, Mumbai Bench, Mumbai in Application No. O.A. 1065 of 2010.
4. Considering the submissions made by the learned counsel for the Applicant and the averments made in the civil application, I am satisfied that the applicant has made out a case for allowing the civil application.

ORDER

(A) Civil Application is allowed in terms of prayer clause (a), which reads thus:

“(a) That this Hon'ble Court be pleased to condone the delay about

173 days caused in filing the First Appeal challenging the judgment and decree, dated: 21st April, 2016 passed by the Bench consisting of Learned Member Judicial Shri Rajan Sharma and Shri Satya Prakash Member Technical of Railway Claims Tribunal, Mumbai in Original Application No. 1065 of 2010.”

(B) Civil Applications stands disposed of accordingly.

[K.K. TATED, J.]

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