

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No.2122/2016
in
First Appeal (ST) No.34166/2015

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
Mr. Shrishalya S. Deshmukh for the Applicant Mr. N. D. Sharma for the Respondent	

CORAM: K.K.TATED, J.
DATED : AUGUST 13, 2019

P.C.

1 Heard. This Application is for condonation of 245 days delay in preferring the appeal challenging the judgment and award dated 28.10.2015 passed by the Railway Claims Tribunal, Mumbai in claim application No.OA/MCC/2010/1075 dismissing the Applicant's claim application for Rs.4 lacs.

2 The learned counsel for the Respondent has vehemently opposed the Civil Application for condonation of delay.

3 Though the Civil Application was served on the Respondent they failed and neglected to file Affidavit in Reply till today.

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.

5. Hence, following order is passed:

- a. Delay in filing the First Appeal is condoned.
- b. The Civil Application stands disposed of accordingly.
- c. No order as to costs.

(K.K.TATED, J.)