

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

C.A.F. NO.2103/2019

IN

FIRST APPEAL STAMP NO.16323/2018

Shri Sahebrao S/o Venkatrao Wagadre and another

..Vs..

Union of India through the General Manager, Central Railway, Mumbai
CST

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms. Gayatri Dive, Advocate h/f Shri P.R. Agrawal, Advocate for the
applicants / appellants.

CORAM : NITIN W. SAMBRE, J.

DATED : 16.9.2019

1] Heard.

2] There is a delay of 29 days caused in
preferring this appeal.

3] The claim is rejected by the Tribunal based on
the fact that the deceased Sadip had tried to get down
from a running train at Shegaon station though the
vehicle has no scheduled halt.

4] Apart from the fact that the deceased was
found to be travelling without railway ticket which fact
can be inferred upon analysis of evidence of
A.W.2 - Sanjay Mahala, the evidence of the eye witnesses
is also taken into account by the Tribunal for rejecting

the claim of the claimants. No case for interference on merit is made out.

The inordinate delay caused in preferring this appeal is not explained. The application for condonation stands rejected. Consequently, the appeal also fails. It is **dismissed** accordingly. No costs.

JUDGE

Tambaskar.