

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

C.A.F. NO.1993/2019

AND

FIRST APPEAL STAMP NO.26055/2018

Mr. Yogesh S/o Dinkar Patil and another

..Vs..

Union of India, through 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

Shri U.A. Bhattad, Advocate for the applicant / appellant.
Shri N.P. Lambat, Advocate for the non-applicant / respondent.

CORAM : NITIN W. SAMBRE, J.

DATED : 19.9.2019

1] Apart from unexplained delay of 456 days caused in preferring the present appeal, I hardly see any substance in the claim put-forth by the appellants that the appellants are the dependents on the deceased. The Tribunal, in my opinion, has rightly invoked the provisions of Section 123(b) of the Railways Act so as to infer that the claimants / appellants cannot be termed as dependents. The appellant No.1 is elder brother whereas the appellant No.2 is married sister of the deceased.

2] In view of the above, no case for interference is made out. The application for condonation of delay so also the appeal fails. They are **dismissed** accordingly. No costs.

JUDGE

Tambaskar.