

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

Civil Application (F) No.2102/2019 In First Appeal St. No.18607/2018
(Shrikrishna Herole and others V Union of India)

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

Court's or Judge's orders

Shri PR. Agrawal, Adv for appellants.
Shri Nitin Lambat, Adv for respondent.

CORAM : S.M. MODAK, J.
DATE : 11-12-2020.

The Railway Claims Tribunal as per the judgment dated 23-10-2017, was pleased to dismiss the claim petition of the claimants. The correctness is challenged on behalf of the applicants. Earlier the applicants were told that they were required to pay Court fee, if at all the appeal has to be preferred. At that time, they were short of money. Later on, it was told to them that the appeal can be filed on a Court fee of ₹ 25/-, in view of the decision of the Division Bench.

2. The condonation of delay is opposed by learned Advocate Shri Lambat for the respondent.

3. The reasons are convincing. The applicants are ready to waive the interest for the period condoned. The litigant is entitled to take benefit of the latest interpretation given by this Court. Hence, the order :

ORDER

- (a) Delay of 196 caused in preferring an appeal is condoned, subject to waiver of the interest for that period.
- (b) Application is disposed of.

First Appeal No. /2020

Heard.

Admit.

Call for the R and P.

Issue notice to respondent.

Learned Advocate Shri Lambat, waives notice for the respondent.

The appellants to give copies to the respondent.

(S.M. Modak, J.)