

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 1782 OF 2016

IN

FIRST APPEAL (ST) No. 34164 OF 2015

Smt. Pooja Samir Tambe and Anr. ...Applicants

Vs.

Union of India,

Through the General Manager

...Respondent

Mr. Shrishailya Deshmukh for Applicants

None for the Respondent

CORAM : MADHAV J. JAMDAR, JJ.

DATE : SEPTEMBER 18, 2021

PC. :

1. Heard Mr. Shrishailya Deshmukh, learned Advocate for the Applicants. None appears for the Respondent although duly served.

2. This civil application is taken out for condonation of delay of 91 days in filing the appeal. The Applicants have filed appeal challenging the judgment and order passed by the Member (Technical) of Railway Claims Tribunal, Mumbai Bench, Mumbai. The impugned order is dated 23rd March, 2015. The appeal is filed on 9th December, 2015.

3. The contentions in the civil application shows that due to severe financial constraints, delay occurred in filing the appeal. The delay is adequately explained in the application. Although

the Respondents are served, there is no reply filed to the delay condonation application, nor the Respondents are appearing in the matter. Therefore, the averments in the Civil Application have remained uncontroverted.

4. Thus, for the reasons set out in the civil application, Civil Application NO. 1782 of 2016 is allowed in terms of prayer clause (a) and disposed of in the aforesaid terms. No order as to costs.

(MADHAV J. JAMDAR, J.)

VA Tikam