

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

CIVIL APPLICATION (CAF) NO. 139 OF 2021

IN
FIRST APPEAL NO. OF 2021

Rukminibai wd/o Angad Keware and ors.

..vs..

Union of India, thr. General Manager

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

Court's or Judge's orders

Shri R.G. Bagul, Advocate for appellants.

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 09/02/2021

By this application, the Applicants have sought the delay of 1583 days in filing the first appeal against the judgment dated 05.05.2016 passed by Railway Claims Tribunal, Nagpur in Claim Application No. OA/(Ilu)/NGP/2012/0210.

2. Learned Counsel for the Respondent submits that the delay is inordinate and Applicants have not made out sufficient grounds to condone the delay. I have perused the records and considering the submissions advanced by the learned Counsel for the respective parties.

3. The Applicants herein are the dependents of the deceased Angad Keware who died in untoward incident on 23.12.2011. The Applicants have claimed that they are laborer and they move from one place to another in such employment. It is stated that they were not aware about the order and that the Counsel

had informed that the matter was still pending and that they learnt about the judgment only in the month of November 2018. They have stated that they were informed by the Counsel that substantial amount would be required for filing the appeal. The Applicants have stated that they could collect the papers from the Counsel and hand over the same to the present Counsel only in the month of February, 2020. The record reveals that the Applicants are belong to the weaker section of the society, and that they were unable to file the appeal due to the financial constraint and illiteracy.

4. Considering the facts and circumstances of the case, the delay is condoned. The application stands disposed of accordingly.

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Heard.

2. **ADMIT.**
3. Call for the Records and Proceedings.
4. Paper book to be filed within six months.

JUDGE