

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

Civil Application (CAF) No.122 of 2021
IN
First Appeal Stamp No.7115 of 2020

Shantabai wd/o Nagorao Ubale & Ors. **Vs.** Union of India, through the General Manager, South
Central Railway, Secunderabad.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri R.G. Bagul, Advocate for the Appellants.
Shri Z.H. Shekhani, Advocate h/f Shri R.G. Agrawal, Advocate for the Respondent.

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATE : 22nd JANUARY, 2021.

The applicants have sought to condone the delay of 994 days in filing an appeal against the judgment dated 02/08/2017 passed by the Railway Claims Tribunal, Nagpur in Claim Application No.OA (IIu)/NGP/2013/0327.

The applicants are the widow and sons of Nagorao Ubale who died in a train accident. The applicants claim to be the labourers with no fixed abode. The applicants have claimed that they were not in a financial position to arrange for court fee and file the appeal in time.

Considering the reasons stated in the application and in the interest of justice, delay is condoned.

The civil application stands disposed of.

Appeal be registered after removing office objections, if any.

First Appeal Stamp No.7115 of 2020

Considering the narrow controversy involved in the appeal, parties are put to notice that an endeavor will be made to dispose of the appeal finally at the stage of admission.

Shri Z.H. Shekhani, learned counsel holding for Shri R.G. Agrawal, learned counsel waives service of notice on behalf of the respondent.

Call for record and proceedings.

Private paper-book to be filed within four weeks.

Stand over to **22/02/2021**.

(SMT. ANUJA PRABHUDESSAI, J.)