

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

**CIVIL APPLICATION (CAF) NO. 1609/2020 IN**  
**FIRST APPEAL NO. 1335/2017**

Sameena Begum wd/o Shaikh & ors.

**-VERSUS-**  
Union of India

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

Court's or Judge's Orders

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Shri S. K. Sable, Advocate for applicants/appellants.  
Shri N. P. Lambat, ASGI for sole respondent.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.**

**DATE : 20.01.2021.**

Issue notice to the respondent.

2. Learned ASGI waives service of notice  
for sole respondent.

3. By order dated 26.04.2018, this Court had  
set aside the impugned order and allowed the claim  
petition filed by the applicants/appellants under  
Section 23 of the Railway Claims Tribunal Act, 1989.  
The respondent was directed to pay sum of  
Rs. 4,00,000/- towards compensation amount with  
interest @ Rs. 7.5% per annum. This Court had held

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that the question of entitlement of the appellant for additional compensation of Rs. 4,00,000/- as per Gazette Notification dated 22.12.2016 and interest on it would be considered after decision in the Special Leave Petition (Civil) Dairy No. 2827/2018.

2. By the application under consideration, the applicant has sought additional compensation in view of Gazette Notification dated 22.12.2016. Learned counsel for the applicant states that in terms of decision in Special Leave Petition (Civil) Dairy No. 2827/2018 as well as decision of the Apex Court in case of *Union of India Vs. Rina Devi, AIR 2018 SCC 2362*, the victims are entitled for composite sum of Rs. 8,00,000/- in terms of Gazette Notification dated 22.12.2016 without any interest.

3. The record reveals that the respondent has earlier deposited amount of Rs. 5,28,455/-. In view of Gazette Notification dated 22.12.2016, the applicants are entitled for balance amount to Rs. 2,71,545/-. The respondent to deposit the said amount within a period of two months.

Order

907CAF1609.20

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4. Application stands disposed of,  
accordingly.

**(SMT. ANUJA PRABHUDESSAI, J.)**

Gohane.