

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

Civil Application (CAF) No.758 of 2019
IN
First Appeal Stamp No.20052 of 2018

Mr. Antram s/o Shalikram Lillare **Vs.** The Union Of India thr. Its General Manager & Ors.

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

Court's or Judge's Orders

Ms. Shilpa G. Barbate, Advocate for the Appellant.
Shri Gawai S. Purohit, Advocate h/f Shri S.V. Purohit, Advocate for Respondent No.1.
Shri A.R. Agrawal, Advocate for Respondent Nos.2 to 4.

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATE : 12th JANUARY, 2021.

Learned counsel for respondent No.2 states that respondent No.2 has expired and her legal heirs had already on record as respondent Nos.3 and 4. Necessary endorsement be made in the cause title as against the name of respondent No.2.

2. By this application, the applicant has sought to condone the delay of 374 days in filing the appeal against the judgment and order dated 8th May, 2017 passed by the Railway Claims Tribunal, Nagpur in Claim Petition No.OA(Ilu)/NGP/2012/0238.

3. It is stated that the applicant belongs to economically weaker section, having no other source of income.

4. In view of the reasons stated in paragraphs 3, 4 and 5 of the application, the application is allowed. Delay is condoned, subject to the condition that the applicant shall not be entitled for any interest from the date of the impugned judgment till the date of the application. Appeal be registered subject to removal of office objections, if any.

5. The delay condonation application stands disposed of in above terms.

6. Shri Gawai S. Purohit, learned counsel holding for Shri S.V. Purohit, learned counsel waives service of notice on behalf of the respondent No.1 and Shri A.R. Agrawal, learned counsel waives service of notice on behalf of the respondent Nos.2 to 4.

7. The matter be listed for admission after **four weeks**.

(SMT. ANUJA PRABHUDESSAI, J.)