

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

CIVIL APPLICATION (CAF) NO. 4261 OF 2019
IN
FIRST APPEAL NO. _____ OF 2021

Kisan s/o Baliram Pokale and anr.

..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.S. Suryawanshi, Advocate for applicants/appellants.
Shri P.S. Khubalkar, Advocate for respondent.

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 15/01/2021

By this application, the applicants/appellants have sought to condone the delay of 431 days in filing appeal against the judgment and award dated 08.06.2018 passed by Railway Claims Tribunal in Claim Application No. OA(IIU)/NGP/2017/110.

2. Learned Counsel for the respondent opposes the application on the ground that no sufficient cause is made out by the applicants for condoning the delay.

3. I perused the record and considered the submissions advanced by learned Counsel for the respective parties. The applicants are the parents of the deceased Nikhil Pokale who has expired in a train accident. They have stated that they were fully dependent on the income of the deceased who was the sole earning member of the family. It is stated that due to financial constraints, they were unable to engage a

lawyer and challenge the judgment and award.

4. In view of reasons stated in the application, which is in my considered view, constitute sufficient ground to condone the delay, the delay is condoned. Civil Application stands disposed of accordingly.

5. Appeal be registered after removal of office objection, if any.

6. Learned Counsel Shri P.S. Khubalkar, waives notice on behalf of respondent.

7. Appeal be listed for admission.

8. Stand over to three weeks.

JUDGE

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