

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

***INTERIM APPLICATION NO.1666 OF 2022
IN
FIRST APPEAL NO.2236 OF 2011***

Lalchand Triveni Soni & Anr. ...Applicants

IN THE MATTER BETWEEN

Union of India ...Appellant

Vs

Lalchand Triveni Soni & Anr. ...Respondents

...

Mr. Shrishailya S. Deshmukh for the Applicants.

CORAM : SANDEEP K. SHINDE J.
DATE : MARCH 24, 2022.

P.C. :

The Union of India through the General Manager, Western Railway, had preferred First Appeal No.2236 of 2011 against the judgment and order dated 27th October, 2009 passed by the Railway Claims Tribunal, Mumbai Branch, Mumbai.

2 Mr. Deshmukh, learned counsel for the applicants/claimants, has brought to my notice conditional order

dated 13th September, 2012 by which the appellant was directed to file paper-book within six weeks. It appears that, the appellant has not complied with the said order. In consequence, appeal stood dismissed in October, 2012. This application is moved by the respondents seeking leave to withdraw the compensation amount deposited by the appellant in the Registry of this Court.

3 In consideration of the facts of the case, although the appearance of the advocate, Mr. Tripathi representing Union of India is shown, he is not present.

4 In that view of the matter, application is allowed and made absolute in terms of prayer clause (a).

5 Interim Application is disposed of accordingly.

(SANDEEP K. SHINDE, J.)