

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

CAF NO.48/2020 IN FA ST.NO.20531/2019

Laxman s/o Ganesh Kanhojia

..VS..

Union of India, thr.its General Manager, Central Railway, CST, Mumbai

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

Court's or Judge's Order

.....

Ms Priya Thakare, Counsel for the Applicant.

Shri N.P.Lambat, Counsel for the Respondent.

CORAM : SMT.ANUJA PRABHUDESSAI, J.

DATED : FEBRUARY 04, 2022

1. Hearing was conducted through Video Conferencing and learned counsel for parties agree that Video and Audio quality was proper.
2. Heard.
3. By this application filed under Section 5 of the Limitation Act, the applicant has sought to condone the delay of 514 days in filing an appeal under Section 23 of the Railway Claims Tribunal Act, 1989.
4. Learned counsel Shri N.P.Lambat for the respondent, states that the applicant has not made out a sufficient cause for condoning the delay.
5. The applicant states that his leg was amputated due to injuries sustained in an accident. He further claims that he was unable to contact his counsel for filing of the appeal.
6. The reasons stated in the application, in my considered view, constitute sufficient grounds.
7. Hence, for the reasons stated in the application, the application is allowed. The delay is condoned.

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1. Heard.

2. ADMIT.
3. The records and proceedings be called for.
4. Learned counsel Shri N.P.Lambat, waives service on behalf of the respondent.
5. Considering narrow controversy involved, filing of paper book is dispensed with.
6. The matter be listed for final hearing on 21.2.2022.

(SMT.ANUJA PRABHUDESSAI, J.)

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signed by
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BHUSHAN RANA
RANA WANKHEDE
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