

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.1125 OF 2020
IN RAST/746/2020 IN FA/1380/2018

Union of India
Through General Manager,
Sough Central Railway,
Secundrabad (Andhra Pradesh) .. Applicant

Versus

Premlabai w/o Ramlu Renalwar and others .. Respondents

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WITH
CIVIL APPLICATION NO.1126 OF 2020
IN RAST/448/2020 IN FA/2283/2018

Union of India
Through General Manager,
Sough Central Railway,
Secundrabad (Andhra Pradesh) .. Applicant

Versus

Nagorao s/o Gangaram Kamble and another .. Respondents

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WITH
CIVIL APPLICATION NO.1127 OF 2020
IN RAST/761/2020 IN FA/1341/2018

Union of India
Through General Manager,
Sough Central Railway,
Secundrabad (Andhra Pradesh) .. Applicant

Versus

Mohd. Saber s/o Mohd. Illyas .. Respondent

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WITH
CIVIL APPLICATION NO.1128 OF 2020
IN RAST/750/2020 IN FA/1005/2018

Union of India
Through General Manager,
Sough Central Railway,
Secundrabad (Andhra Pradesh)

.. Applicant

Versus

Dalit s/o Tukaram Mudkhede

.. Respondent

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Mr. D. V. Soman, Advocate for applicants in all the applications.
Mr. P. S. Agrawal, Advocate for respondents in all the applications.

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CORAM : SMT. VIBHA KANKANWADI, J.

RESERVED ON : AUGUST 05, 2022.

PRONOUNCED ON : JANUARY 27, 2023.

ORDER :-

. All these applications have been filed by the Union of India for condonation of delay in preferring review applications. In Civil Application Nos.1125 of 2020, 1127 of 2020 and 1128 of 2020, there is delay of 143 days and in Civil Application No.1126 of 2020 there is delay of 140 days. Present respondents are the original claimants, who had filed first appeals, challenging the judgment and order passed by the Railway Claims Tribunal, thereby rejecting the claims of the respondents. Those first appeals came to be allowed by this Court by judgment and order dated 10.07.2019 and this Court has granted compensation of Rs.8,00,000/- together with interest at the rate of 6% per annum from the date of the application till the date of the award and thereafter @ 9% per annum till the date of actual payment of the same to the applicants as well as cost of Rs.10,000/-. It has been contended that after getting the certified copies they were

forwarded to the legal department of the Union of India and thereafter after taking opinion from the Railway Board, the decision has been taken to file application for review, however, in that process the delay has been caused, which was not intentional and, therefore, it is prayed that the said delay be condoned and the review be entertained.

2. Heard learned Advocate Mr. D. V. Soman for the applicants in all the applications and learned Advocate Mr. P. S. Agrawal for respondents in all the applications.

3. Though the learned Advocate appearing for the respondents is strongly opposing, taking into consideration the duration of the delay and the fact that being the State Government entity, it was necessary to take permissions from the departments. The delay doesn't appear to be intentional. Hence, it requires to be condoned. Accordingly, the delay stands condoned.

4. All the applications stand allowed and disposed of.

5. Registry to verify and register the review applications.

6. Place those review petitions for further consideration on 10.02.2023.

**[SMT. VIBHA KANKANWADI]
JUDGE**

scm