

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 606 OF 2018 IN
FIRST APPEAL ST. NO. 23678 OF 2017

Alka Ajay Vasane

Applicant

Versus

Union of India

Respondent

Mr. Parth Salunke, Advocate holding for Mr. V. B. Madan, Advocate
for the applicant.

Mr. M. N. Navandar, Standing Counsel for respondent No. 1.

CORAM : R. M. JOSHI, J.

DATE : 6th FEBRUARY, 2023.

PER COURT :

1. This is an application for condonation of delay 257 days occurred in preferring the appeal against the impugned judgment and order dated 1st August, 2018, passed by the Railway Claim Tribunal, Nagpur.

2. Learned counsel for applicant submits that the delay caused in filing first appeal is not deliberate. According to him, the applicant is a widow and on account of financial crisis, she could not approach the Court immediately.

3. Learned counsel for respondent opposed the said contentions.

4. Perusal of the application shows that the applicant is a widow who had lost her husband in the alleged accident. It does not appear that there was any intentional or deliberate act on the part of the applicant in not filing the appeal within time. Needless to say that the appellant would not have gained anything by not preferring the appeal within the stipulated period.

5. Considering the nature of litigation, delay deserves to be condoned. Accordingly, delay in preferring the appeal stands condoned. Civil application stands disposed of.

6. Appeal be registered.

(R. M. JOSHI)
Judge

dyb