

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1506 OF 2010

IN /WITH

FIRST APPEAL (ST) NO. 9929 OF 2010

YUGANDHARA
SHARAD
PATIL

Digitally signed
by
YUGANDHARA
SHARAD PATIL
Date:
2023.12.08
11:04:48 +0530

Mohamed Abdul Shaikh and Anr.

...Applicants/Org.
Appellants-Claimants

Versus

Union of India through the General
Manager, Central Railway, Mumbai.

...Respondent

Mr. Kuldip Singh a/w Mr. N.D. Pandey, Advocate for the
Applicants/Original Appellants.

Mr. T.J. Pandian a/w Gautam Modanwal, Advocate for the
Respondent.

CORAM: M.M.SATHAYE J.

DATE : 6th DECEMBER, 2023

PC. :

1. This is an Application by the Applicants- original claimants for condonation of delay of 300 days in filing the above First Appeal. Learned counsel for the Applicants urged that the Appeal arise out of claim for compensation of death of Applicant's family member in a railway accident. He submits that only issue of interest is agitated in the appeal.

2. Learned counsel for the Respondent-Railway has

opposed condonation of delay. It is submitted that the amount awarded under the impugned order is already paid over to the Applicants-Claimants and delay is inordinate.

3. Considering the extent of delay and averments in the Application and considering that no reply is filed till date, sufficient cause is made out. This Application is therefore allowed in terms of prayer clause (a). Delay is condoned. Appeal be numbered. Civil Application is disposed of accordingly.

4. Place the above Appeal under the caption of 'final disposal' on 22.01.2024.

5. All concerned to act upon authenticated or digitally signed copy of this order.

[M.M.SATHAYE,J.]