

AGK

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

FIRST APPEAL NO.72 OF 2019

Kumari Dhanishtha Devendra Joshi
minor through her father

Devendra Ramchandra Joshi

... Appellant

V/s.

Union of India

... Respondent

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Dr. Prakash K. Deshmukh for the appellant.

Mr. T.J. Pandian for the respondent.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 28, 2023

PC.:

1. According to the appellant, she was meritorious student who suffered unfortunate railway accident. According to her, under wrong legal advise she approached the Railway Claims Tribunal. She was not aware of the limits of the compensation granted by the Railway Claims Tribunal. The Railway Claims Tribunal has allowed the claim granting compensation of Rs.1,30,000/-. The appellant has produced on record documents to support her meritorious career.

2. Considering the statutory limits on the exercise of powers by the Railway Claims Tribunal, it cannot be said that the Railway Claims Tribunal erred in granting compensation of Rs.1,30,000/-.

3. However, considering the case made out before the Railway Claims Tribunal, it will be open for the appellant to approach appropriate Court by adopting appropriate proceedings for appropriate reliefs.
4. The father of the appellant is present in Court.
5. Learned advocate appointed through Court, on instructions from the father of the appellant, seeks permission to withdraw the first appeal with liberty to adopt appropriate proceedings before appropriate Court.
6. The first appeal is dismissed as withdrawn with liberty as prayed for. No costs.

(AMIT BORKAR, J.)