



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

FIRST APPEAL NO. 660 OF 2012

The Union of India through G.M. SE. Railway

.Vs.

Hanmantrao s/o Laxmanrao Mote and another

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

Ms Neerja G. Chaubey, Advocate for the appellant.
Shri Deven S. Lambat, Advocate for respondent Nos. 1 and
2.

CORAM : G.A. SANAP, J.

DATE : 24/08/2023

Learned Advocate for the appellant seeks permission
to withdraw the appeal.

2. Learned Advocate for the respondents submits that in
view of the notification issued by Ministry of Railways
(Railway Board) dated 22.12.2016 in case of death claim the
appellant shall be liable to pay compensation of Rs.8,00,000/-
(Rs. Eight Lacs Only). Learned Advocate for the appellant
submits that respondents are entitled to get compensation of
Rs.8,00,000/- but without interest.

3. Learned Advocate for the respondents in view of the
decision of the Hon'ble Apex Court in the case of *Union of
India Vs. Radha Yadav* reported in *(2019) 3 SCC 410*
submits that the respondents may not be entitled to get the
interest.

4. In view of the above, appeal stands disposed of as withdrawn.

5. Respondents are entitled to get total compensation of Rs.8,00,000/- (Rs. Eight Lacs Only) from the appellant. However, they shall not be entitled to interest on this amount.

Corrected as
per order dated
30.01.2024.

6. The respondents shall be entitled to get the already deposited amount with accrued interest. The appellant shall deposit the balance amount of Rs.4,00,000/-.

(G. A. SANAP, J.)

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