

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO.744 OF 2023
IN
FIRST APPEAL STAMP NO.510 OF 2023

Sunil Prabhakar Bilore

Vs.

Union of India Through General Manager, South Central Railway, Secunderbad

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. D. S. Lambat, Advocate for appellant.
Ms. Meghana Munshi, Advocate for respondent.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 29/03/2023

Present application is for condonation of delay on the ground that, the claimant applied for the certified copy, the certified was issued to him on 11.7.2022. His counsel has forwarded the same to him by post. After receipt of the copy, it reveals that the Tribunal has not appreciated the evidence properly and inadequate compensation was awarded. As the appellant was under treatment, he could not contact his counsel, and therefore delay of 98 days is caused in preferring the appeal.

The said application is strongly opposed by learned Advocate Ms. Munshi for the respondent on the ground that delay is not properly explained.

Perused the application. Considering the submissions made by learned Advocate for the

respondent and considering the reasons mentioned in the application, it is apparent that there are just and reasonable cause for condonation of delay. Moreover, the appellant is claiming compensation under the beneficial legislation, and therefore to do the substantial justice, delay deserves to be condoned.

In view of that, civil application is allowed.
Delay is condoned.

Appeal be registered

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Heard.

Admit.

Learned Advocate Ms. Meghana Munshi, waives notice for respondent.

Call for record and proceedings.

Paper book is dispensed with. Appeal can be disposed of at the admission stage itself.

Appeal be placed after receipt of the record and proceedings.

(URMILA JOSHI-PHALKE, J.)

Sarkate