



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

FIRST APPEAL NO. 419 OF 2011

The Union of India, General Manager, South Central Railway, Secunderabad
VS.

Padminibai W/o. Nivruti Kasture and others

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

Ms Meghna Munshi, Advocate the appellant
Mr R. G. Bagul, Advocate for respondent Nos. 1 to 3

CORAM : G.A. SANAP, J.

DATE : SEPTEMBER 06, 2023.

Heard.

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

3. Learned Advocate for the respondents submits that in view of the notification issued by Ministry of Railways (Railway Board) dated 22.12.2106 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

4. Learned Advocate for the respondents in view of the decision of the Hon'ble Apex Court in the case of *Union of India .v/s. Radha Yadav*, reported in, (2019) 3 SCC 410

submits that the respondents may not be entitled to get the interest.

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 In view of the above, the appeal stands **disposed of**, as withdrawn.

6. The 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. The entitlement of the respondents to get share in the amount shall be as directed by the Tribunal. The appellant is directed to deposit the amount of compensation within four months from today.

(G. A. SANAP, J.)

Namrata