

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

CIVIL APPLICATION (CAF) NO.1238 OF 2023

IN

FIRST APPEAL STAMP NO.17870 OF 2022

Meera wd/o Sanjay Salve and others

Vs.

Union of India, Through General Manager, South Central Railway, Secunderabad
(Telangana)

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

Court's or Judge's orders

Mr. Abhishek Bhuibhar, Advocate h/f Mr. D. S. Lambat, Advocate for
appellants/applicants.

Ms. Neerja Chaubey, Advocate for respondent.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 27/04/2023

1. Learned Advocate Ms. Neerja Chaubey waives notice for respondent.

2. Present application is for condonation of delay on the ground that the appellants are illiterate villagers and were not aware about the legal intricacies therefore, they could not file an appeal within time. By this appeal, appellants have challenged the Judgment and award passed by the Railway Claims Tribunal, Nagpur. The appellants have claimed compensation under the beneficial legislation for technical reasons. They cannot be deprived of from litigating the cause. The reason mentioned in the application appears to be just and reasonable one.

(2)

49.caf.1238.2023

3. In view of that, delay of 13 days is condoned, application is disposed of.

4. Appeal be registered.

FIRST APPEAL STAMP NO.17870 OF 2022

1. Learned Advocate Ms. Neerja Chaubey waives notice for the respondent.

2. Call for record and proceedings.

3. Paper book is dispensed with.

4. Appeal can be disposed of at the admission stage itself.

5. Appeal be placed for final hearing after receipt of the record and proceedings.

(URMILA JOSHI-PHALKE, J.)

Sarkate