

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

CIVIL APPLICATION (CAF) NO. 2458 OF 2022 IN
FIRST APPEAL STAMP NO.7024 OF 2020

Kanchan Wd/o Arvind Sonbawane and others

Vs.

Union of India, through the General Manager, Central Railway, Mumbai CSTM, Mumbai

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

Court's or Judge's orders.

Shri R.G. Bagul, Advocate for applicant.

Ms Neerja Girish, Advocate for non-applicant.

CORAM : URMILA JOSHI-PHALKE, J.

DATE : JANUARY 18, 2023.

By this application, the applicants are claiming condonation of delay, which is caused in filing the appeal. By appeal, the applicants are challenging the order of Railway Claims Tribunal directing amount of compensation be deposited in Fixed Deposit in the name of applicant nos.1,3 and 4. It is contention of the applicants that the applicant nos.3 and 4 are senior citizens and applicant no.1 is the widow of the deceased. In the meantime, applicant no.3 reported to be dead. The maximum amount of compensation is deposited in Fixed Deposit, which was not required, and therefore, the applicants have challenged the said order. However, delay caused in filing the appeal.

2. The said condonation of delay application is opposed by the non-applicant on the ground that the delay is deliberate one and there is no sufficient reasonable cause for condonation of delay.

3. Heard learned advocates for both sides. Perused the application.

4. In view of the reasons mentioned in the application, the delay of 535 days is condoned. Appeal be registered.

5. The civil application stands disposed of.

FIRST APPEAL STAMP NO.7024 OF 2020

6. Heard learned advocate for the appellants. The appellants have challenged the order of depositing the maximum amount of compensation in Fixed Deposit. Infact, the appellants have to approach the Railway Claims Tribunal for the modification of the order.

7. Considering that the appellant no.1 is aged of 25 years widow, the appellant no.4 is old aged lady and the appellant no.3 is reported to be dead, the Railway Claims Tribunal shall consider the request properly.

With this direction, the appeal stands disposed.

JUDGE

Wagh