



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

FIRST APPEAL NO. 868 OF 2010

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

Smt Vanita Vasantrya Kagbatte and others

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

Mr A. J. Gilda, Advocate for the appellant

Mr A. B. Deshpande, Adv. h/f. Mr V. M. Deshpande, Advocate for the respondents

CORAM : G.A. SANAP, J.

DATE : SEPTEMBER 06, 2023.

Heard.

2. Learned Advocate for the appellant by filing the pursis seeks leave 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 In view of the above, the appeal stands **disposed of**, as withdrawn.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