



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

CIVIL APPLICATION (CAF) NO. 3069 OF 2023

IN

FIRST APPEAL (st.) NO. 18755 OF 2023

Suwarna W/o. Dipak Ghatage and others

VS.

Union of India, Through General Manager, Secunderabad

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

Mr D. S. Lambat, Advocate for the appellants
Ms Neerja Choubey, Advocate for respondent

CORAM : G.A. SANAP, J.

DATE : OCTOBER 6, 2023.

Heard.

2. Learned Advocate Ms Neerja Choubey waives
service of notice on behalf of respondent/State.

3. This is an application for condonation of 33 days
delay caused in filing the appeal against the judgment and
award passed by the Railway Claims Tribunal, Nagpur,
bench, Nagpur dated 12.05.2023 in Claim Application No.
OA/(llu)/NGP/205/2019.

4. It is stated that after receipt of the certified copy of the judgment the counsel conducting the claim petition had forwarded same to the appellants by post. After receipt of the copy, the appellants approached the Advocate at Nagpur and in this process the delay has occurred. It is stated that considering the issue involved, the appellants deserve an opportunity of final adjudication of their matter on merits.

5. Learned Advocate for the respondent submits that reasons stated in the application are not sufficient to make out a case for condonation of delay.

6. On going through the record and proceedings I am satisfied that on the basis of the reasons stated in the application, the delay has been properly explained. There is no reason to discard and disbelieve the statement made in the application. Accordingly, the application is allowed.

7. The delay of 33 days stand condoned.

8. The appeal be registered.

9. The civil application stands **disposed of**, accordingly.

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10. Heard learned Advocate for the appellant.

11. **ADMIT.**

12. Learned Advocate Ms Neerja Choubey waives service of notice on behalf of respondent.

13. Call for record and proceedings.

14. Paper book be filed within six weeks from the date of receipt of record and proceedings.

(G. A. SANAP, J.)

Namrata