

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

CIVIL APPLICATION (CAF) NO. 215/2023 IN
FIRST APPEAL ST. NO. 19612/2022

Smt. Rewata Wd/O. Bhagwan Ingole And Others

Vs

Union Of India, Through General Manager South Central Railway, Secunderabad

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr D.S. Lambat, advocate for the applicants/appellants.

Ms M.P. Munshi, advocate for the respondent.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 09/03/2023.

1. By this application, the applicants/appellants are seeking condonation of delay of 120 days in filing the appeal against the judgment and award dated 22/04/2022, passed by the learned Railway Claims Tribunal, Nagpur.

2. Mr D.S. Lambat, learned advocate for the appellants submitted that though the compensation is awarded by the Railway Claims Tribunal, however, interest part is not awarded to the claimants and therefore, this appeal is preferred.

3. The reasons mentioned in the application for condonation of delay is that the claimant being the widow and having the responsibility of other dependents, she could not take the decision to file the appeal for not granting the interest. Subsequently, she felt that she is entitled to receive the interest and therefore, she preferred the appeal.

There is sufficient and reasonable cause for condoning the delay.

4. Ms M.P. Munshi, learned advocate for the respondent, objected the application on the ground that delay is not properly explained.

5. Heard both the sides. Perused the application.

6. Applicants are claiming relief under the beneficial provision and therefore, they cannot be deprived from getting their rights of compensation resolve on technical grounds.

7. In view of that, delay of 120 days in filing the appeal is condoned. Civil Application is disposed of.

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1. Appeal be registered.

2. Call for record and proceedings.

3. Filing of private paper-book is dispensed with.

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

JUDGE