

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

CIVIL APPLICATION (CAF) NO.141/2023
IN FAST. NO. 21152/2022

Nirmala Wd/O Anil Janjale And Others
Vs

Union Of India Through General Manager, Central Railway, Mumbai

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

Court's or Judge's Order

Mr R.G. Bagul, Advocate for the appellants/applicants.

Ms N.G. Chaubey, Advocate for the respondent.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 01/03/2023.

1. This application is filed for condonation of delay in preferring the first appeal.
2. As per the contention of the applicants, they are the legal heirs of deceased Anil Vitthal Jangale, who died in an untoward incident.
3. It is submitted on behalf of the applicants that, applicants are labours and moving from one place to another place in search of work and therefore, they were not aware about the order passed by the Railway Claims Tribunal and therefore, they could not file the appeal within time.
4. Said application is strongly opposed by the learned advocate Ms. N.G. Chaubey, on the ground that the delay is not properly explained.

5. Heard both the sides. Perused the application.
6. All the applicants have preferred the application for compensation on account of the accidental death of Anil Vitthal Jangale, who died in an untoward incident. In the application also, the occupation of all the applicants is mentioned as labour work. As the applicants are moving from one place to another place, they could not get the knowledge about the passing of the award and hence they could not contact their counsel therefore, delay of 202 days is condoned. Appeal be registered.

First Appeal St. No. 21152/2022

Call for record and proceedings.

The appeal be placed before the Court after receipt of the record and proceedings.

JUDGE