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905fa2224.24

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

905 FIRST APPEAL NO. 2224 OF 2024

KALPANA ARUN KOLHE AND ANR

....Appellants

VERSUS

THE UNION OF INDIA

.....Respondents

Mr. Syed Moisali Amjedali, Advocate for the appellants

Mr. B. B. Kulkarni, Advocate for the respondent

CORAM : KISHORE C. SANT, J.

DATE : 26th SEPTEMBER, 2024

P. C.

1. Mr. Kulkarni, learned advocate waives service of notice for the respondent No.1

2. Looking to the nature of the appeal, the appeal is taken up for final disposal.

3. The appellant is challenging the order passed by the learned Railway Claims Tribunal dismissing the claim application for default, by order dated 14-12-2017.

4. The claim petition is dismissed for default.
5. Since the appellants are dependents of the deceased and they have lost their earning member in the family, in the interest of justice, the appeal is allowed.
6. The claim application stands restored to its original position.
7. With this, the appeal stands allowed and disposed off.
8. No order as to costs.
9. It is made clear that in case the claim is allowed, the appellants shall not be entitled to receive any interest from 14-12-2017.

[KISHORE C. SANT, J.]