



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1596 OF 2024
IN
FIRST APPEAL NO. 1622 OF 2016

Meena Girish Baria. ...Applicant.

In the matter between :

Pushpa Devji Boricha. ...Appellant.

Versus

Union of India. ...Respondent.

Mr. Kunal Bhanage for the Applicant.

Coram : Sharmila U. Deshmukh, J.

Date : July 3, 2024.

P. C. :

1. Interim application has been preferred in the disposed of First Appeal for carrying out amendment to the cause title of First Appeal so as to bring on record the legal heirs of deceased sole Appellant and for condoning the delay of 313 days caused in filing the present application.

2. First appeal arose out of a railway accident claim. Tribunal dismissed the claim, as against which the Appellant had approached this Court and by the judgment dated 14th November 2022, the appeal

came to be allowed by this Court with directions to the Respondent to pay to the Appellant compensation of Rs. 8 lakh.

3. Learned counsel appearing for the Applicant submits that after the passing of judgment by this Court, when the same was sought to be communicated to the Appellant, he was informed by the legal heirs of the Appellant that the Appellant – Pushpa had expired on 24th July 2022. Learned counsel appearing for the applicant submits that for the purpose of claiming compensation, the legal heirs will have to be brought on record in the First Appeal.

4. Perusal of annexures to the application indicates that the documents showing relationship of Applicant with the deceased Appellant has not been placed on record. Learned counsel appearing for the applicant seeks time to produce the necessary documents. Stand over to **10th July 2024.**

[Sharmila U. Deshmukh, J.]