



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.13756 OF 2024

IN

FIRST APPEAL NO.510 OF 2023

Anant Narayan Surve And Ors.

...Applicants

Versus

Union Of India, Thr. The
General Manager, Mumbai

...Respondent

Adv. Aditya Vijay Sawant h/f Balasaheb Deshmukh for the Applicants.

Adv. T. J. Pandian a/w Gautam Modanwal a/w Noorjahan Khan for the Respondent.

Coram : Sharmila U. Deshmukh, J.

Date : October 16, 2024.

P. C. :

1. Interim Application has been preferred seeking recall of the order of dismissal of the Appeal for non filing of the paper book which was directed vide order dated 14th July, 2023 and for condonation of delay of 1 year and 44 days caused in preferring the present Application.

2. Learned counsel for the Respondent opposes the said Application and submits that there is no sufficient explanation given for the delay of 1 year and 44 days caused in preferring the present Application.

3. Considering that the dispute arises out of the Railway Accident Claim and the explanation for the delay has been tendered in paragraph Nos. 3 to 5 of the Interim Application, the same is reasonable explanation.

4. In light of the above, the delay of 1 year and 44 days is condoned. The order dated 14th July, 2023 of dismissal of the Appeal for non filing of the paper book is recalled subject to the private paper book has been filed in the Registry within a period of one week from today.

[Sharmila U. Deshmukh, J.]