



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

CIVIL APPLICATION (CAF) NO.2384 OF 2024 IN
FIRST APPEAL ST. NO.410 OF 2024

Sunita Wd/o Kewal Dongare and others **.Vs.** Union of India

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

Court's or Judge's Order

Ms A.P. Murrey, Advocate for appellants.

Ms Neerja Choubey, Adv. for respondent.

CORAM : SANJAY A. DESHMUKH, J.

DATED : 29/08/2024

1. Issue notice to the respondent, returnable after **six weeks.**
2. Ms Neerja Choubey, learned advocate waives service of notice for the respondent.
3. This is an application for condonation of delay of 472 days caused for preferring appeal.
4. Perused the application.
5. Heard learned advocates for both sides.
6. The appellants submits that, the judgment delivered by the Railway Tribunal was not communicated to them, therefore, they could not proceed to file the appeal.
7. The learned advocate for the appellants submitted that application may be allowed in the interest of justice.

8. The learned advocate for the respondent strongly objected the application and submitted that, there is no sufficient reason to condone the delay.

9. On perusal of the application, it appears that delay has not caused deliberately and reasons for not filing of appeal within limitation are sufficient and justifiable that decision/judgment of Railway Tribunal was not informed to the appellants.

10. Considering this important aspect, the application deserves to be allowed in the interest of justice. The application is **allowed**. Delay is condoned.

11. Application is **disposed of**.

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12. Issue notice to the respondent, returnable after **six weeks**.

13. Ms Neerja Choubey, learned advocate waives service of notice for the respondent.

14. Call record and proceedings.

15. Filing of paper book is dispensed with, with direction to provide copy to the other side.

(SANJAY A. DESHMUKH, J.)