



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION [CAF] NO. 985/2023
IN CIVIL APPLICATION [CAF] NO.3499/2019
IN FIRST APPEAL ST.NO.9390/2019.

Union of India.

-VERSUS-

Harichand Jagannath Khandelwal and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri N.P. Lambat, Advocate for the Applicant.

Shri J.J. Chandurkar, Advocate for Non-applicant Nos.2 to
6.

Shri A. Badar, A.G.P. for Non-applicant Nos.8 and 9.

CORAM : VINAY JOSHI AND
VRUSHALI V. JOSHI, JJ.

DATE : OCTOBER 01, 2024.

Heard.

2. This is an application by original claimants / non-applicant nos. 2 o 6 seeking permission to withdraw entire amount of compensation deposited by the applicant Railways.

3. Considering the submissions, claimants are permitted to withdraw 50% of the amount on usual undertaking and 25% of the amount on furnishing security to the satisfaction of the

Registrar (Judicial) of this Court. Civil Application is accordingly allowed and disposed of.

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Civil Application (CAF) No.3499/2019.

Heard.

2. This is an application seeking condonation of delay of 297 days caused in filing appeal by the Union of India, challenging the award passed by the Reference Court.

3. The learned Counsel appearing for the applicant took us through the reasons for delay which have been mentioned in the application. Though the learned Counsel appearing for non-applicants have objected the prayer of the applicant, we are inclined to condone the delay for deciding the matter on merits.

4. In view of above, Civil Application is allowed and disposed of. Delay is accordingly condoned. Office to register the appeal and list the same for admission.

JUDGE

JUDGE