



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

CIVIL APPLICATION (CAF) NO. 981 OF 2023

WITH

CIVIL APPLICATION (CAF) NO. 3495 OF 2019

IN

FIRST APPEAL STAMP NO. 8193 OF 2019

(Union of India Vs. Harichand Jagannath Khandelwal thr legal heirs Smt. Shantabai Khandelwar and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms. S. Deshpande, Advocate for applicants.
Mr. J.J. Chandurkar, advocate for respondent Nos. 2 to 6.
Ms. Deshmukh, AGP for respondent Nos. 8 and 9.

**CORAM : VINAY JOSHI &
ABHAY J. MANTRI, JJ.**

DATED : 21-10-2024

CIVIL APPLICATION (CAF) NO. 981 OF 2023

Heard.

2. This is an application by original claimants / non-applicant nos. 2 to 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.

CIVIL APPLICATION (CAF) NO. 3495 OF 2019

Heard.

2. This is an application seeking condonation of delay of

289 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.

(ABHAY J. MANTRI, J.)

(VINAY JOSHI, J.)

Belkhede