



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

CIVIL APPLICATION (CAF) NO. 1074 OF 2024
IN
FIRST APPEAL (ST.) NO. 25404 OF 2023

UNION OF INDIA, NEW DELHI THR. ITS SECRETARY, CENTRAL RAILWAYS, MANTRALAYA, NEW DELHI & ORS.

—Vs.—

VINAYAK NARRAYAKRAO SAGRE (DEAD) THR. LRS. SATISH VINAYAKRAO SAGARE AND ORS.

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

Court's or Judge's Order

Shri V.M.Gadkari, Advocate for appellants.

Shri D.R.Bhoyar, Advocate for respondent no. 1A & 1B.

Shri M.A.Kadu, AGP for respondent/State.

CORAM : SANJAY A. DESHMUKH, J.

DATED : 13/08/2024

1. This is an application for condonation of delay of 664 days caused for filing the appeal.
2. Perused the application.
3. Heard learned Advocates for both sides.
4. It is submitted that the delay is caused because of administrative decision and for other reasons of the office. Considering the reasons stated in the application, it appears that the delay is not caused deliberately, the application deserves to be allowed in the interest of justice. As such, the application is allowed.
5. Delay in filing First Appeal is condoned.
6. Accordingly, the application stands disposed of.

FIRST APPEAL (ST.) NO. 25404 OF 2023

1. Issue notice to the respondents.
2. Shri D.R.Bhoyar, Advocate waives notice for respondent no. 1A & 1B.
3. Shri M.A.Kadu, AGP for respondent no. 2/State.
4. **Admit.**
5. Call R & P.

CIVIL APPLICATION (CAF) NO. 2152 OF 2024

1. This is an application for withdrawal of amount deposited with this Court as per the judgment and order of the learned Reference Court. The total amount of Rs. 97,18,250/- is deposited with this Court.
2. Perused the application.
3. Heard learned Advocates for both sides.
4. The learned Advocate for the respondents submits that respondent no. 1(C) Shashikala is dead and report of bailiff sees that she is dead. He further submits that she has no legal heirs except respondent no. 1(A) and 1(B).
5. For the reasons stated in the application, the application deserves to be allowed in the interest of justice. As such, the application is allowed as prayed for.
6. Registry is directed to pay 75% amount to the respondent nos. 1(A) and 1(B) equally along with interest accrued thereon.

7. The amount to be paid to the respondent nos. 1(A) and 1(B) on execution of usual undertaking for 50% amount and solvent surety for 25% amount.
8. Accordingly, the application stands disposed of.

(SANJAY A. DESHMUKH, J.)

B.T. Khapekar