



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

WRIT PETITION NO.934 OF 2024

Smt. Sushila Wd/o Vinod Chavre and others .Vs. Union of India, through General
Manager, C.S.M.T., Mumbai

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

Court's or Judge's Order

Shri N.R. Mankar, Advocate for petitioner.

CORAM : ANIL S. KILOR, J.

DATED : 08/02/2024

1. The order dated 20.10.2023 passed by the Railway Claims Tribunal rejecting the application moved by the petitioner for issuance of witness summons, is under challenge in this writ petition.

2. The learned trial Court has recorded the reasons for rejection of the application, which says that, the evidence was closed on 20.07.2023 and thereafter, the matter was listed for argument on 22.08.2023, 15.09.202, 22.09.2023, 28.09.2023, 10.10.2023, 20.10.2023 and on these dates, the learned counsel for the applicant was absent.

3. The medical document namely the discharge summary of petitioner's brother to justify the reasons for not attending the proceeding, discloses the fact that, he was hospitalized on 20.07.2023 and was discharged on

24.07.2023, for the cause pain in abdomen due to alcohol consumption.

4. Moreover, though after rejection of the application for summoning the witnesses the matter was posted for argument on 06.11.2023, the petitioner has not taken steps to list the matter immediately before this Court.

5. Thus, from the above referred facts and the observations made by the learned Tribunal, it is evident that, the petitioner is not interested in pursuing the matter and also not diligent.

6. In that view of the matter, I do not find any error committed by the learned Tribunal. Accordingly, the writ petition is **dismissed**.

JUDGE