



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

CIVIL APPLICATION (CAF) NO. 840 OF 2023
AND
CIVIL APPLICATION (CAF) NO. 1352 OF 2024
IN
FIRST APPEAL NO. 607 OF 2021

YASEEN S/o GAFOOR GAWALI (Dead) THRU. Lrs SALMABI Wd/o YASIN GAWALI & ANR
VERSUS
UNION OF INDIA, THRU. ITS GEN. MANAGER, CENTRAL RLY., MUMBAI CST

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

Court's or Judge's Order

Mr. R. G. Bagul, Advocate for the applicants.
Ms. N. G. Chaubey, Advocate for the respondent

CORAM : G. A. SANAP, J.
DATE : MAY 08, 2024.

1. Learned advocate for the applicants seeks leave to withdraw this application with liberty to press CAF No. 1352 of 2024.
2. In view of above, CAF No. 804/2023 stands disposed of as withdrawn. No costs.

Civil Application (CAF) No. 1352 of 2024

1. This is an application for giving compensation amount to the legal heirs of deceased appellant – Yaseen Gafoor Gawali.
2. The applicants claim to be the legal heirs of deceased/claimant. It is stated that original appellant/claimant died on 23.09.2021. It is stated that the appeal i.e. First Appeal No. 607/2021 has been decided on 15.02.2023 and claim

for compensation has been allowed. Applicant no.1 is the widow of the deceased and applicant no.2 is the son of the deceased.

3. The appeal has been finally decided. Compensation of Rs.8,00,000/- (Rupees Eight lakhs only) has been awarded. The only question before me is whether the applicants being the legal heirs, can be held entitled to get the amount of compensation ?

4. In my view, the applicants are the legal heirs of deceased appellant. They have placed on record necessary documents. Applicant no.1 is the widow of the deceased. Applicant no.2 is the major son of the deceased. Applicant no.1 being the widow of the deceased-appellant, is entitled to get compensation after death of her husband. Therefore, it would be appropriate to allow applicant no.1 to withdraw the amount of compensation.

5. Accordingly, the application is allowed. Applicant no.1 – Salmabi Wd/o Yasin Gawali is entitled to get the amount of compensation. The amount of compensation be paid to her.

6. The civil application stands disposed of. No costs.

(G. A. SANAP, J.)