



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

CIVIL APPLICATION (CAO) No.983 OF 2024
IN
MISC. CIVIL APPLICATION ST. No.15090 OF 2024
IN
FIRST APPEAL No.1076 OF 2019 (D)

(Usha wd/o. Kiran Kulkarni and another Vs. The Union of India, through General Manager,
Central Railway, CST, Mumbai)

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

Court's or Judge's orders.

Mr. P.U. Kavishwar, Advocate for appellants.
Ms. Neerja Chaubey, Advocate for respondent.

CORAM : SANJAY A. DESHMUKH, J.
DATE : 16th AUGUST, 2024.

1. This is an application for condonation of delay of 568 days caused in filing restoration application.
2. Perused the application.
3. Heard learned Advocates of both sides.
4. The delay is not deliberately caused in filing restoration application.
5. For the reasons stated in the application, the application deserves to be allowed in the interest of justice.
6. The application is allowed.
7. The delay of 568 days, caused in filing restoration application, is condoned.
8. If the alleged accident on death of claimant's relative took place earlier to 1.1.2017, as observed in the

case of **Union of India Vs. Radha Yadav, (2019) 3 SCC 410** it is clarified that, the applicant will not be entitled for the interest on that amount of compensation.

9. The application is disposed of.

MISC. CIVIL APPLICATION ST. No.15090 OF 2024.

1. This is an application for restoration of the first appeal.

2. Perused the application.

3. Heard learned Advocates of both sides.

4. Learned Advocate for the appellant submits that paper-book may be dispensed with.

5. For the reasons stated in the application, the application deserves to be allowed in the interest of justice.

6. The application is allowed.

7. The appeal is restored on its original number, subject to condition that appellants-applicants shall provide necessary documents to the other side.

8. Filing of paper-book is dispensed with.

9. Application is disposed of.

FIRST APPEAL No.1076 OF 2019.

1. Call R. & P.

2. Stand over after four weeks.

(SANJAY A. DESHMUKH, J.)