

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 9603 OF 2025

IN

FIRST APPEAL (ST) NO. 34326 OF 2024

M/s. ED & F. Man Commodites India Pvt. Ltd.

... Applicant

Versus

Union of India and Anr.

... Respondents

.....

Mr. Shekhar Jagtap a/w. Sairuchita Chowdhary and Ms. Yashashree Raut
i/b. J. Shekhar Associates, Advocates for the Applicant.

Dr. Uday Warunjikar a/w. Mr. Niranjana Shimpi, Advocates for the
Respondents.

CORAM : SHIVKUMAR DIGE, J.

DATED : 4th JULY, 2025.

P. C. :

1. Heard learned counsel for the applicant and learned counsel for
Respondents.

2. Learned counsel for the applicant submits that the delay of 623 days
is unintentional and caused as substantial time was required for
administrative compliance and approvals from various levels in Mumbai
office and Head Office in London. Further, it is submitted that applicant
had approached learned Railway Tribunal for review of impugned order
dated 10.05.2022 vide review application and the same was dismissed on
16.12.2022. Therefore, the period of time spent by the applicant in
bonafide litigation was beyond the control of the applicant, hence

requested to allow the application.

3. Learned counsel for the respondents strongly objected to condone the delay on the ground that there is delay of 623 days, it is inordinate delay, hence requested to reject the application.

4. I have heard both the learned counsel. The applicant has challenged the impugned order passed by Railway Claims Tribunal. The delay was caused due to administrative approvals. It is unintentional delay. If applicant succeeds in the appeal the applicant is not entitled for interest on delayed period on compensation amount.

5. The application is allowed and disposed of.

6. The appeal be registered.

(SHIVKUMAR DIGE, J.)

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