

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

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RAMESH
KARNIK

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SUMIT RAMESH
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**INTERIM APPLICATION NO.15401 OF 2024
IN
FIRST APPEAL (ST) NO.27128 OF 2024**

Union of India through
The General Manager,
Central Railways, Mumbai.

... Applicant/Appellant

Vs.

Usha Appu and Ors.

...Respondents

Mr. Akash K. Kotecha (Through V.C.) of Applicant/ Appellant
None for Respondent

CORAM : M. M. SATHAYE, J.

DATED : 17th DECEMBER 2025

P.C.:

1. Heard learned Counsel for the Applicant/Railway.
2. This is an application for condonation of delay of 59 days in filing First Appeal. According to office note, the notices could not be served upon Respondents because of incomplete address. It is material to note that the address available on record, is the address given by the Respondent/claimants in the claim application.
3. Under earlier Order dated 21/11/2025, Applicant was permitted to file affidavit of service indicating that the Respondents are served through their Advocate in the Trial Court. The Advocate for the petitioner states that as per said Order, he has filed affidavit of service through E-filing. Its copy is tendered in the Court. The same is taken on record and marked "X" for

identification. It indicates that on 24/07/2025, Advocate for the Respondent/claimants has been served.

4. None appears for the Respondents.
5. Considering the extent and averments in the application, sufficient cause is made out. **The application is allowed. Delay is condoned.**
6. Appeal be numbered subject to removal of office objections.

(M. M. SATHAYE, J.)