



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

CIVIL APPLICATION (CAF) NO. 828 OF 2025

IN

FIRST APPEAL (ST) NO. 2620 OF 2025

Shyamsundar S/o. Fatelal Varma and others

Vs.

Union of India

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

Court's or Judge's Order

Shri D. S. Lambat, Advocate for applicants.
Ms. Neerja Choubey, Advocate for non-applicant.

CORAM :- M. W. CHANDWANI, J.

DATED :- 12.09.2025

Heard.

2. The present application has been filed for condoning delay of 4747 days in preferring First Appeal against dismissal of restoration application by the Tribunal.

3. The application is opposed by the learned counsel for the non-applicant on the count that there is a huge delay in preferring First Appeal and therefore, delay should not be condoned.

4. Grant of compensation under the Railways Act is a beneficiary scheme. No doubt there is a considerable delay in preferring the First Appeal. Considering the object of the scheme and huge delay, in

my view to strike the balance, the delay can be condoned on a condition, that the applicants shall not be entitled to interest, if any, on the award for the delayed period. Therefore, delay in filing First Appeal is here condoned.

5. Needless to mention that the applicants shall not be entitled to any interest on the compensation, if any, on the amount of award passed by this Court or by the Tribunal for the delayed period.

6. The application is allowed accordingly. The Appeal be registered.

(M. W. CHANDWANI, J.)