

Balmiki Sav @ Balmiki Prasad and Anr Vs Union Of India

Court: Jharkhand High Court

Date of Decision: Jan. 22, 2025

Hon'ble Judges: Sanjay Kumar Dwivedi, J

Bench: Single Bench

Advocate: Chaitali C. Sinha, Abhijit Kumar Singh

Final Decision: Allowed

Judgement

Sanjay Kumar Dwivedi, J

1. Heard learned counsel for the appellants as well as learned counsel for Eastern Railway, Kolkata.

2. I.A. No.10165 of 2024 has been filed for condonation of delay of 583 days in presenting the appeal.

3. Learned counsel for the appellants submits that the appellants are the claimants whose claim has been turned down by the learned Railway Tribunal

and thereafter they have some how prepared to present the appeal and in view of that the said delay has occurred.

4. Learned counsel for the Eastern Railway opposed the prayer and submits that the explanation is not sufficient and in view of that the instant I.A

may kindly be dismissed.

5. The appellants are the claimants and their claim has been turned down by the learned Railway Tribunal. However, the deceased was having the

tickets also and prima-facie the appellants are having the case and the Court finds that there is sufficient ground to condone the delay and as such, the

delay of 583 days in presenting the appeal is hereby condoned.

6. The instant I.A stands allowed and disposed of.

7. Call for the trial court records from the learned court concerned.

8. Let this matter be placed under the appropriate heading on 05.03.2025.

9. Mr. Abhijit Kumar Singh, the learned counsel for the Eastern Railways will assist the Court after receiving of the trial court records.