

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 2964 OF 2015
IN
FIRST APPEAL ST. NO. 8255 OF 2013
(Namdeo Balaji Mandade, Since deceased through
L.Rs. Dhananjay Namdeo Mandade Vs. Maharashtra
Development Corporation and another)

Mr. Mahesh S. Patil, Advocate for the applicants
Mr. S.S. Dande, Advocate for respondent No. 1
Mr. S.G. Sangle, A.G.P. for the respondent-State

CORAM : M.T. JOSHI, J.
DATE : 11/03/2015

ORAL ORDER :

1. Heard both sides.
2. It is an admitted fact that the present respondent No. 1 has already filed an appeal and is admitted being first appeal No. 22/2012. In the circumstances, for the reasons mentioned in the present application, delay caused in filing the first appeal is hereby condoned. The application is accordingly allowed, on the condition that in case any enhancement is granted in the present first appeal, the applicants would not be entitled for the statutory interest for the

delayed period.

3. The first appeal stand admitted upon registration thereof. The print of the paper-book is dispensed with. Mr. S.S. Dande, learned counsel for the respondent No. 1 waives service of notice for respondent No.1 and learned A.G.P. waives service of notice for respondent No.2/State.

4. Present first appeal be placed with first appeal No. 22/2012 and other connected first appeals.

[M.T. JOSHI]
JUDGE

npj/ca2964-2015