

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

CIVIL APPLICATION (CAF) NO.2420 OF 2015

IN

FIRST APPEAL ST.NO.6648 OF 2015

Dnyaneshwar Pardakhe

..vs..

The Executive Engineer, Bembla Projection Division, Yavatmal and ors

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders
.....

Court's or Judge's Order

Shri A.B. Nakshanre, counsel for the applicant.
Shri S.G. Jagtap, counsel for NA No.1/Resp.
Mrs. Rashi Deshpande, AGP for NA Nos.2 & 3/Resps.

CORAM : A.S. CHANDURKAR, J.

DATED : OCTOBER 08, 2015.

Heard.

Notice made returnable forthwith.

Shri S.G. Jagtap, learned counsel, waives notice for non-applicant No.1/respondent and Mrs. Rashi Deshpande, learned AGP, waives notice for non-applicant Nos.2 and 3/respondents.

Prayer is to condone the delay in filing the first appeal.

In the application it is stated that though award was passed on 27.2.2012, the amount of compensation was received by the appellant on 12.2.2015. On account of his financial condition, the Court-Fees could not be deposited earlier.

The application is opposed by learned counsel

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for the non-applicants/respondents.

However, considering the facts of the case, the delay in filing the first appeal stands condoned subject to applicant/appellant not being entitled for interest on the amount of compensation, if enhanced for the period from 27.2.2012 till today.

The application is allowed and disposed of as such.

First Appeal St.No.6648 of 2015

Heard.

ADMIT.

The record and proceedings be called for.

Shri S.G. Jagtap, learned counsel, waives notice for respondent No.1 and Mrs. Rashi Deshpande, learned AGP waives notice for respondent Nos.2 and 3.

In view of order passed on CAF No.2420 of 2015, the appellant would not be entitled for interest on the amount of compensation, if enhanced for the period from 27.2.2012 till 8.10.2015.

JUDGE

!! BRW !!

...../-