

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

CIVIL APPLICATION (CAF) NO.2710 OF 2015
IN
FIRST APPEAL (ST) NO.17330 OF 2015

Mandakini w/o Kashinath Kale
-vs-
The Exe. Engineer, Bembla Project Dvn. Yavatmal

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

Court's or Judge's Orders.

Shri A. B. Nakshane, Advocate for applicant/appellant
Shri S. G. Jagtap, Advocate for respondent No.1.
Shri M. M. Ekaray, AGP for respondent Nos.2 and 3.

CORAM : A.S.CHANDURKAR, J.
DATE : October 27, 2015

Heard.

Notice made returnable forthwith. Shri S. G. Jagtap, learned counsel waives notice on behalf of respondent No.1. Learned Assistant Government Pleader waives notice on behalf of respondent Nos.2 and 3.

Prayer is to condone the delay in filing the first appeal. In the application it is stated that though award was passed on 02/03/2012, the amount of compensation was received by the appellant on 22/07/2015. On account of his financial condition, the court fees could not be deposited earlier.

The application is opposed by learned counsel 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 02/03/2012 till today.

The application is allowed and disposed of.

F.A.(St) No.17330 of 2015

Heard.

Admit.

Call for record and proceedings.

Shri S. G. Jagtap, learned counsel waives notice on behalf of respondent No.1. Learned Assistant Government Pleader waives notice on behalf of respondent Nos.2 and 3.

In view of order passed on C.A.F. No.2710 of 2015, the appellant would not be entitled for interest on the amount of compensation if enhanced, for the period from 02/03/2012 till today.

JUDGE