

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

CIVIL APPLICATION (CAF) NO. 3191 OF 2015

IN

FIRST APPEAL ST. NO. 2921 OF 2013

Ganesh Maroti More Vs. State of Maharashtra Collector Yavatmal & Ors.

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

Court's or Judge's Order

Shri D. G. Patil Adv for appellant.
Shri H. R. Dhumale AGP for respondents 1 & 2.
Shri S. S. Godbole Adv for respondent 3.

CORAM: A. S. CHANDURKAR J.

DATED: 2nd APRIL, 2016.

Prayer is to condone the delay in filing First Appeal. Reasons for the delay are mentioned in paragraphs 2 and 3 of the application. It has been stated that for want of necessary funds to pay the Court fees, the appeal could not be filed earlier. It is also submitted that in another appeal arising from the same Notification the delay has been condoned but by holding that the applicants would not be held entitled for interest for the period of delay. It is therefore prayed that the delay be condoned.

The application is opposed by the learned counsel for the non applicants. It is submitted that reasons assigned are not sufficient.

After considering the reasons assigned in paragraphs 2 and 3 and in view of the fact that in First Appeal No. 908 of 2014 the delay has been

condoned by not granting interest for the period of delay, the following order is passed:

The delay in filing the First Appeal is condoned subject to the applicant not being entitled for interest on the amount of compensation if enhanced for the period from 20.11.2007 till date. Application is allowed in aforesaid terms and disposed of.

First Appeal St. No. 2921 of 2013: Issue notice for final disposal of the appeal returnable on 13.04.2016.

Shri H. R. Dhumale, the learned Assistant Government Pleader waives on behalf of respondent nos. 1 and 2 and Shri S. S. Godbole, the learned counsel waives for respondent no. 3.

JUDGE

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