

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

CAF No.2675/2016 IN FA ST. NO.14743/2016

Smt. Prabhavati Shankarrao Kawalkar (Dead) through LRs Vivek Shankarrao Kawalkar vrs.
Executive Engineer, Bembla Project Division, Yavatmal and others

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

Court's or Judge's orders

Shri A. B. Nakshane, Advocate for the Applicant.
Shri S.G.Jagtap with Shri S.S.Godbole, Advocates for the respondent No.1
Shri N.R. Rode, AGP for respondent Nos.2 and 3.

Coram : S. B. Shukre, J.

Dated : 20/12/2016

Heard.

The reasons stated in the application for delay is of financial difficulty faced by the appellant in preferring the appeal. There is not much contest on this aspect of the matter. The learned counsel for the respondent No.1 states that this case is also covered by the Judgment of the Court in land acquisition cases of the village Dighi, Dist. Yavatmal. The appellant undertakes to forgo the interest on the delayed period on the enhanced portion from 17th April, 2012 till 19/07/2016. Therefore, I am of the view that this application deserves to be allowed.

Application is allowed, subject to the condition that the appellant shall not claim any interest on the enhanced amount from 17th April, 2012 till 19/07/2016. Accordingly, the delay is condoned. Appeal be registered.

The application is disposed of accordingly.

JUDGE

Choulwar