

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

CIVIL APPLICATION (CAF) NO. 82 OF 2015

IN

FIRST APPEAL ST. NO.15135 OF 2014

(NAMDEO MAROTI RATHOD....VS..STATE OF MAHARASHTRA & OTH.)

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

Court's or Judge's orders

CORAM : Z.A.HAQ, J.

DATED : AUGUST 30, 2016.

None for the appellant.

Ms S.Z.Haider, A.G.P. has opposed the application praying for condonation of delay on the ground that the applicant/ appellant has not given explanation for the inordinate delay of 3054 days.

Considering the explanation given in paragraph Nos. 2 and 3 of the application, in my view, the delay in filing the appeal can be condoned subject to condition that the appellant will not claim interest from the date of award till 1st August, 2014 i.e. the date on which the appeal is filed, on the enhanced amount of compensation, if granted by this Court in the appeal.

The civil application is allowed accordingly.

FIRST APPEAL ST. NO.15135/2014.

Taken up for hearing on admission.

ADMIT.

Call R & P.

Appellant shall file private paper book within six months.

Ms S.Z. Haider, A.G.P. waives notice for the respondent Nos. 1 and 3.

In case, the claim of the appellant for enhanced amount of compensation is granted by this Court, the appellant will not be entitled for interest on the enhanced amount of compensation from the date of award till 1st August, 2014, as recorded in the order dated 30/08/2016 on Civil Application No. 82 of 2015.

JUDGE

RRaut..

CERTIFICATE

I certify that this order uploaded is a true and correct copy of original signed order.

Uploaded by : R.B. Raut, PS

Uploaded on : 31/08/2016.