

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

Civil Application (CAF) No.1275 of 2015

In

First Appeal Stamp No.18055 of 2014

**(Dipak Khanduji Ingole v. The State of Maharashtra, through its Collector,
Yavatmal, and others)**

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

Court's or Judge's orders

Shri A.B. Nakshane, Advocate, holding for Shri R.J. Shinde, Advocate
for Applicant/Appellant.

Ms A.R. Kulkarni, AGP for Respondent Nos.1 and 2.

Shri S.S. Godbole, Advocate for Respondent No.3.

Coram : R.K. Deshpande, J.

Date : 3rd February, 2016

Civil Application (CAF) No.1275 of 2015 :

The learned counsel for the applicant has invited my attention to the order dated 20-1-2016 passed by this Court in connected Civil Application (CAF) No.1245 of 2015 for condonation of delay of 2111 days caused in filing First Appeal Stamp No.18063 of 2014. This Court has condoned the delay making it clear that the applicant shall not be entitled to interest on the enhancement if granted till the date of filing of this appeal.

In the present case, the delay is of 2111 days. The notices were issued to the respondents, who are served in the matter. No reply is filed. Keeping in view the order passed by this Court

in the connected civil application, being Civil Application (CAF) No.1245 of 2015 filed in First Appeal Stamp No.18063 of 2014, and after going through the averments made in this application, I am satisfied that a sufficient cause is made out for condonation of delay.

Hence, the application is allowed. The delay caused is condoned. Needless to say that the applicant shall not be entitled to any interest on the enhancement if granted till the date of filing of the appeal.

The civil application is disposed of.

First Appeal Stamp No.18055 of 2014 :

Heard the learned counsels for the parties.

Admit.

Respective counsels waive service of notice.

Call for R & P.

To be heard along with First Appeal Stamp No.18063 of 2014.

Judge.