

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

CIVIL APPLICATION (CAF) NO. 276 OF 2016

IN

FIRST APPEAL ST. NO.23375 OF 2015

(BHIKULAL PARAMSUKH PALIWAL THR. LR. SMT. SUNDERBAI B. PALIWAL & OTH....VS..STATE OF
MAH. THR. COLLECTOR, AMRAVATI & OTH.)

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

Court's or Judge's orders

Shri A.S. Sonare, Advocate for Appellants.
Shri M.A.Kadu, A.G.P. for Respondent Nos. 1 & 2.
Shri J.B.Kasat, Advocate for Respondent No.3.

CORAM : Z.A.HAQ, J.

DATED : AUGUST 26, 2016.

The applicants/ appellants pray that the delay of 753 days in filing the appeal be condoned. The applicants/ appellants have stated in the application that they got knowledge about award in November, 2013, however, because of the financial constraints they could not approach this Court, they first executed the award and got the amount of compensation in August, 2015 and then immediately approached the advocate for filing the appeal and accordingly the appeal is filed at the earliest possible. The respondents have not filed reply to the application.

Accepting the submissions made on behalf of the applicant/ appellant, which are not controverted and accepting the undertaking by the applicants/ appellants that they will not claim interest from the date of the award till 26th November, 2015 that is the date of filing of the appeal, on the enhanced amount of compensation, if granted by this Court, the **delay** in filing the appeal is **condoned**.

The Civil Application is disposed in the above terms.

FIRST APPEAL ST. NO. 23375/2015.

Taken up for admission.

Issue notice for final disposal, returnable on **20th January, 2017.**

Call R & P.

Shri M.A. Kadu, A.G.P. waives notice for the respondent Nos. 1 and 2 and Shri J.B. Kasat, advocate waives notice for the respondent No.3.

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 : 29/08/2016.