

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

C.A.C No. 58/2015 IN C.R.A. ST. No. 7108/2015

(SHRI GULAB DUDHRAM BORKAR -vs- THE STATE OF MAHARASHTRA THROUGH
SECRETARY, IRRIGATION DEPARTMENT, MUMBAI AND OTHERS)

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

Court's or Judge's Orders.

Shri D.C. Chahande, counsel for applicant.
Shri Palshikar, counsel for respondent nos.2 and 3.
Mrs. M.S. Naik, AGP for respondent nos.1, 4 and 5.

CORAM: S.B. SHUKRE, J.

DATE : SEPTEMBER 05, 2017.

Heard Shri Chahande, learned counsel for the applicant, Shri Palshikar, learned counsel for the respondent nos.2 & 3 and learned AGP for respondent nos.1, 4 and 5.

In similar matters, where there has been inordinate delay and hardly any explanation given by the applicant seeking condonation of delay, this Court, considering the larger interest of the community deprived of agricultural lands, has condoned the delay on the condition that the interest for the delayed period on the enhanced compensation, if any, shall not be claimed by such applicant.

I have no reason to take different view in the present case. Therefore, I find that this application deserves to be allowed by imposing similar condition.

Application is allowed.

Delay is condoned subject to the condition

that if there is any enhancement in compensation, the applicant shall not claim any interest and shall not be given any interest for the delayed period i.e. from 21/04/2010 till passing of this order.

Application is disposed of.

C.R.A. be registered accordingly.

JUDGE

Yenurkar