

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

CIVIL APPLICATION (F) NO.2516 OF 2017
IN
FIRST APPEAL STAMP NO.8181 OF 2014

(Atmaram Mahadeo Sawale Vs. The Executive Engineer, Medium Irrigation Division,
Zilla Parishad, Buldana, Dist. Buldana and another)

*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. Kale, Advocate for Applicant.
Ms. Gupte, Advocate h/f Shri P.B. Patil, Advocate for Respondent No.1.
Ms. Shamsi Haider, AGP for Respondent No.2.

CORAM: DR. (SMT.) SHALINI PHANSALKAR-JOSHI, J.
DATE: 18th JULY, 2017.

This is an application preferred by the claimant seeking condonation of delay in preferring the appeal. Considering the length of the delay, learned counsel for applicant fairly concedes that the applicant will not claim an interest on the enhanced amount of compensation from the date of the judgment of the Reference Court dated 31.03.2012 till today.

In view thereof, in the light of the judgment of the Apex Court in the case of *Imrat Lal vs. Land Acquisition Officer* reported in *2013 DGLS (SC) 1065*, the application for condonation of delay is allowed subject to the appellant/applicant not being entitled for the interest on the enhanced amount of compensation from the date of judgment of the Reference Court dated 31.03.2012 till today.

The application is accordingly allowed and disposed of.

First Appeal Stamp No.8181/2014:

Heard.

Admit.

Call for R & P.

Appellant to file private paper-book within a period of six months, after the receipt of R & P.

JUDGE