

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

FIRST APPEAL NO.471 OF 2016

(The Executive Engineer, Khadakpurna Project Division, V.I.D.C., Deulgaon Raja, Dist.
Buldana Vs. Tejrao Uttamrao Mundhe and others)

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

Court's or Judge's orders.

Shri S.S. Godbole, Advocate for Appellant.
Shri K.S. Narwade, Advocate for Respondent Nos.1 & 2.
Shri A.R. Chutke, AGP for Respondent Nos.3 & 4.

CORAM: DR. (SMT.) SHALINI PHANSALKAR-JOSHI, J.

DATE: 19th JULY, 2017.

Civil Application (O) No.835/2017:

This is an application seeking condonation of delay of 316 days in filing cross-objection.

As the application is filed by the respondent-claimant, considering the length of the delay, Learned counsel for respondent-claimant fairly concedes that respondent will not claim any interest on the enhanced amount of compensation from the date of the judgment of the Reference Court dated 05.04.2014 till the date.

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 delay is condoned and the application is allowed subject to the condition of respondent-claimant not being entitled to get interest on the enhanced amount of compensation from the

date of judgment of the Reference Court dated 05.04.2014
till the date.

The application is allowed and disposed of.

Cross-Objection Stamp No.8230/2017:

Heard.

Admit, to be decided along with appeal.

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

JUDGE