

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

CIVIL APPLICATION (F) NO.1417 OF 2017
IN
FIRST APPEAL STAMP NO.8335 OF 2014

(Pramila Shankar Landge 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.
Shri A.R. Chutke, AGP for Respondent No.2.

CORAM: DR. (SMT.) SHALINI PHANSALKAR-JOSHI, J.
DATE: 20th JULY, 2017.

This is an application for condonation of delay of 650 days in preferring the first appeal.

Considering the length of the delay, learned counsel for applicant fairly concedes that the applicant will not claim any interest for the period for 650 days delay.

However, learned Assistant Government Pleader points out in this case the matter came to be dismissed for default, though it was filed in the year 2014 and it was for non-compliance of office objection.

In view thereof, the appellant cannot be entitled for the interest on the enhanced amount of compensation from the date of the judgment of Tribunal till today.

Accordingly, in the 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 applicant not being entitled to get interest on the enhanced amount of compensation from the date of judgment of the Tribunal i.e. 31.03.2012 till today.

First Appeal Stamp No.8335/2014:

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