

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

CAF No. 3502/2016 in FA St.No. 9359/2016

Shri Balaji Deosthan, Talegaon through its President Radheshyamji S.Loya

Vs..

The State of Maharashtra through the Collector, Yavatmal.

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

Court's or Judge's orders.

Shri D.G.Patil, Adv. for the applicant.

Shri A.D.Sonak, AGP for respondent no.1.

Shri S.G.Jagtap, Adv. For the respondent no.2.

CORAM : N.W.SAMBRE, J.

DATE : APRIL 03, 2017

Shri D.G.Patil, the learned counsel for the applicant, upon instructions, makes a statement that the applicant will not claim interest for the period from the date of award delivered by the reference Court till filing of the appeal before this Court.

The said statement on behalf of applicant is accepted in the form of an undertaking. It is clarified that the appellant will not be entitled for any interest on the amount of enhance compensation for the said period.

Heard.

Delay caused, though opposed by the learned AGP appearing on behalf of State and learned counsel appearing on behalf of respondent no.2, in view of above statement and having regard to the law laid down by the Hon'ble Apex Court in the matter of *Dhiraj Singh and others Vs. State of Haryana and others* reported in (2014) 14 Supreme Court Cases 127, the delay stands

condoned.

FA St.No.9359/2016

Heard.

Admit.

As there is no dispute that the issue is already covered by the judgment of this Court in First Appeal No. 1263/2009 along with connected matters, decided on 26th July, 2012, in my opinion, the appellant is entitled for similar relief as is observed in para no.7 of the said judgment.

As such, the appeal stands allowed in above terms.

JUDGE

Andurkar..