

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

CIVIL APPLICATION (F) NO.2263 OF 2017
IN
FIRST APPEAL STAMP NO.12750 OF 2016

(Bhagwan Dagadu Kokate and others Vs. The State of Maharashtra thr. Collector,
Washim 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. Dhengale, Advocate for Appellant.
Ms. Shamsi Haider, AGP for Respondent Nos.1 & 2.
Shri S.G. Jagtap, Advocate for Respondent No.3.

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

This is an application for condonation of delay of 1211 days in preferring the first appeal.

Considering the length of the delay, learned counsel for applicant-claimant fairly concedes that the applicant will not claim any interest on the enhanced amount of compensation from the date of the judgment of the Reference Court dated 31.03.2012 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 application for condonation of delay is allowed subject to the appellant-claimant not being entitled for the interest on the enhanced amount of compensation from the date of judgment of the Reference Court dated 30.01.2012 till the date.

The application is accordingly allowed and disposed of.

First Appeal Stamp No.12750/2016:

Heard.

Admit.

Call for R & P.

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

Ms. Shamsi Haider, the learned A.G.P. waives service of notice for respondent Nos.1 and 2 and Shri S.G. Jagtap, the learned counsel waives service of notice for respondent No.3.

JUDGE