

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

CIVIL APPLICATION (CAF) NO.3473 OF 2016
IN
FIRST APPEAL ST. NO.14789 OF 2016

Babi w/o Pundlik Rathod

-vs-

The State of Maharashtra Thr. The Collector, Yavatmal and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

None for applicant/appellant.

Shri M. A. Kadu, AGP for respondent Nos.1 and 2.

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

DATE : JUNE 23, 2017

This is an application for condonation of delay of 546 days in filing the first appeal. The reasons for delay are stated in paragraphs 3 and 4 of the application. The application is opposed by learned counsel for the respondents.

Considering reasons mentioned in the application as sufficient cause is made out and in view of law laid down in case of Imrat Lal, the delay stands condoned subject to condition of claimant not being entitled for interest on the amount of compensation if enhanced for the period from 08/10/2014 till 23/06/2017.

Civil application is allowed and disposed of.

F.A.St. No.14789 of 2016

Heard. **Admit.** Call for record and proceedings.

Learned Assistant Government Pleader waives notice on behalf of respondent Nos.1 and 2.

Appellant to file paper-book within six months after receipt of record and proceedings.

In view of order passed on C.A.F.No.3473 of 2016, the claimant would not be entitled for interest on the amount of compensation if enhanced for the period from 08/10/2014 till 23/06/2017.

JUDGE