

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

C.A.F. No. 2353/2017 IN FIRST APPEAL ST. No. 14917/2016

(VASUDEV DINAJI NEWARE -vs- THE STATE OF MAHA. THROUGH COLLECTOR, YAVATMAL
AND OTHERS)

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

Court's or Judge's Orders.

Shri A.S. Deshpande, counsel for applicant.
Shri M.A. Kadu, AGP for respondent nos.1 and 2.
Shri S.G. Jagtap, counsel for respondent no.3.

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

DATE : JULY 18, 2017.

This is an application preferred by the claimant-appellant for condonation of delay of 1095 days.

Considering the length of the delay, learned counsel for appellant fairly contends that appellant will not claim any interest on the enhanced amount of compensation from the date of the order of the reference court i.e. 15/04/2013 till the date.

In view thereof, in the light of judgment of the Hon'ble Supreme Court in the case of **Imratlal -Vs- Land Acquisition Officer, 2013 DGLS (SC) 1065**, the delay is condoned and the application is allowed, with no order as to costs, subject to condition that appellant will not be entitled to claim the interest from the date of the order of the reference court i.e. 15/04/2013 till the date.

Application is disposed of accordingly.

FIRST APPEAL ST. No. 14917/2016.

Heard.

ADMIT.

Call for R and P.

Appellant to file private paper book within six months after receipt of R and P.

Learned AGP waives service of notice on respondent nos.1 and 2.

Learned counsel Shri S.G. Jagtap waives service of notice on respondent no.3.

JUDGE

Yenurkar