

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

CIVIL APPLICATION (F) NO.832 OF 2017
IN
FIRST APPEAL STAMP NO.17855 OF 2016

(Anant Keshav Nilkanthe Vs. The State of Maharashtra thr. Collector, Yavatmal 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 R.J. Shinde, Advocate for Appellant.
Ms. Shamsi Haider, AGP for Respondent Nos.1 & 2.

CORAM: DR. (SMT.) SHALINI PHANSALKAR-JOSHI, J.
DATE: 27th JULY, 2017.

This is an application seeking condonation of delay of 956 days in preferring the first appeal, the application is preferred by the original claimant. Learned counsel for the applicant submits that considering the length of the delay applicant is willing to give up his claim for interest on the enhanced amount of compensation for the delay of 956 if the delay is condoned.

In view thereof and 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/applicant not being entitled for the interest on the enhanced amount of compensation, for the period of delay.

The application is accordingly allowed and disposed of.

First Appeal Stamp No.17855/2016:

Heard.

Admit.

Call for R & P.

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

Ms. Shamsi Haider, the learned A.G.P. waives service of notice for respondent Nos.1 and 2.

JUDGE