

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

CIVIL APPLICATION (CAO) NO.21 OF 2017
IN
MISC. CIVIL APPLICATION (ST) NO.18051 OF 2016
IN
FIRST APPEAL (ST) NO.7407 OF 2006

Balram s/o Shivram Behate

-vs-

The State of Maharashtra, Thr. the Collector, Nagpur and ors.

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

Court's or Judge's Orders.

Shri S. P. Kshirsagar, Advocate for applicant/appellant.
Ms S. Haider, AGP for respondent Nos.1 and 2.

CORAM : DR (SMT) SHALINI PHANSALKAR-JOSHI, J.
DATE : July 14, 2017

This is an application seeking condonation of delay of 3698 days in filing the application for restoration of the first appeal.

Learned counsel for the applicant fairly concedes that the claimant is ready to give up the right for interest on the amount of compensation, if enhanced.

Hence, in the light of the law laid down by the Apex Court in case of *Imrat Lal vs. Land Acquisition Officer 2013 DGLS (SC) 1065*, as the applicant is the original claimant, the delay in preferring this application is condoned subject to condition that applicant-claimant will not be entitled to the interest on the amount of compensation, if enhanced, from the date of the order of Reference Court till today. Application is disposed of.

MCA St. No.18051 of 2016

This is an application for setting aside the order passed by the Registrar (Judicial) dismissing the appeal for non-compliance of office objections.

Learned counsel for the applicant submits that within two weeks, he will comply with the office objection of supplying typed copy.

In view thereof, the order passed by the Registrar (Judicial) on 20/06/2006 of dismissing the appeal for non compliance of office objections is set aside subject to condition of learned counsel for applicant complying with the office objections within two weeks from today, otherwise this application will stand automatically dismissed without further reference to Court.

M.C.A. stands disposed of.

JUDGE