

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

CIVIL APPLICATION [CAF] NO.3201 OF 2017
IN
FIRST APPEAL STAMP NO.18173 OF 2016

(Narayan Chandu Jadhav [deceased] through L.R.

vs.

Executive Engineer, Minor Irrigation Division, Pusad, Dist. Yavatmal)

=====

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

=====

Court's or Judge's Orders

Shri K.S. Narwade, Advocate for Applicant-Appellant.
Shri V.G. Palshikar, Advocate for the Respondent.

CORAM : KUM. INDIRA JAIN, J.
DATE : 5th SEPTEMBER, 2017.

This is an application seeking condonation of delay in preferring the first appeal.

Considering length of delay of 879 days, learned Counsel for the appellant fairly concedes that the appellant will not claim interest on the enhanced amount of compensation.

In view thereof, in the light of the judgment of the Apex Court in the case of **Imrat Lal vs. Land Acquisition Officer - [2013 DGL5 (SC) 1065]**, subject to condition that the appellant not being entitled to interest from the date of decision of award till date, the delay is condoned.

Application is allowed with no order as to costs.

First Appeal St. No.18173/2016 :

Heard.

Admit.

Shri V.G. Palshikar, learned Counsel waives service of notice on behalf of respondent.

Call for record and proceedings.

JUDGE

*sdw