

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

**CIVIL APPLICATION (F) NO.1097 OF 2017**  
**IN**  
**FIRST APPEAL STAMP NO.22939 OF 2016**

(Pralhadrao s/o Kisanrao Deshmukh and another Vs. The State of Maharashtra thr.  
Collector, Washim and others)

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*Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's Orders.*

*Court's or Judge's orders.*

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Shri A.M. Gordey, Senior Advocate for Applicant/Appellant.  
Ms. Shamsi Haider, AGP for Respondent Nos.1 & 2.  
Shri S.G. Jagtap, Advocate for Respondent No.3.

**CORAM: DR. (SMT.) SHALINI PHANSALKAR-JOSHI, J.**  
**DATE: 20<sup>th</sup> JULY, 2017.**

This is an application for condonation of delay of 898 days in preferring the first appeal, the application is preferred by the original claimant.

Considering the length of the delay, which is about three years, learned counsel for applicant/appellant fairly concedes that the applicant will not claim any interest on the enhanced amount of compensation from the date of the judgment of the Reference Court i.e. 12.02.2014 till the date.

In view thereof, 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 applicant/appellant not being entitled to get any interest on the enhanced amount of compensation from the date of

judgment of the Reference Court i.e. 12.02.2014 till the date.

The application is allowed and disposed of.

**First Appeal Stamp No.22939/2016:**

Heard.

**Admit.**

Call for R & P.

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

Ms. Shamsi Haider, the learned A.G.P. waives service of notice for respondent Nos.1 and 2 and Shri S.G. Jagtap, the learned counsel waives service of notice for respondent No.3.

It is submitted that the State has already filed First Appeal No.25/2017, in view thereof this appeal will also tag with the said appeal.

**JUDGE**