

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

CIVIL APPLICATION [CAF] NO.3617 OF 2017
IN
FIRST APPEAL ST. NO.23027 OF 2016

(Deorao s/o Sanpatrao Gawande [dead] through L.Rs. & others
vs.
The State of Maharashtra & another)

=====

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

=====

Court's or Judge's Orders

Shri R.J. Shinde, Advocate for the Applicant-Appellant.
Ms. H.N. Jaipurkar, A.G.P. for Respondent Nos.1 & 2.

CORAM : KUM. INDIRA JAIN, J.
DATE : 27th SEPTEMBER, 2017.

Ms. H.N. Jaipurkar, learned A.G.P. waives service of notice for respondent no.3. Hence, office objection does not survive.

This is an application for condonation of delay of 8863 days in preferring the first appeal.

Considering the length of the delay of about 8863 days in filing the appeal, normally such delay would not have been condoned. However, in view of the law laid down by the Hon'ble Apex Court in **Imrat Lal vs. Land Acquisition Officer - [2013 DGLS (SC) 1065]** and as the appellants are ready to give up their right of interest on the enhanced amount of compensation from the date

of award till the date, application for condonation of delay is allowed subject to condition that appellants are not entitled to get the interest from the date of award passed by the Reference Court till date.

Civil application stands disposed of.

First Appeal St. No. 23027/2016 :

List the appeal for final hearing at the stage of admission after four weeks.

JUDGE

*sdw