

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

CIVIL APPLICATION NO.2442 OF 2016
IN FIRST APPEAL ST. NO.4308 OF 2016

(Pralhad Sambha Hulkavane (dead), through legal representatives and others vs. Maharashtra State through Collector and others)

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

Shri V.N. Patre, Advocate for applicants/appellants.
Shri M.A. Kadu, Assistant Government Pleader for
respondent nos.1 and 2.
Shri R.C. Raibhandare, Advocate for respondent no.3.

CORAM : MANISH PITALE, J.

DATED : FEBRUARY 13, 2018

This is an application filed on behalf of appellants seeking condonation of delay of 685 days in filing appeal. The appellants are seeking enhancement of compensation over and above the amount granted by the Reference Court.

Applying the principle laid down by the Hon'ble Apex Court in **Imrat Lal and others vs. Land Acquisition Collector and others** {(2014) 14 SC 133}, this application is allowed and delay is condoned subject to the condition that appellant shall not be entitled to interest for the period of delay of 685 days in the event the appeal is allowed and enhancement of compensation is granted by this Court. The application is disposed of.

FIRST APPEAL ST. NO.4308 OF 2016

Heard learned Counsel for the parties.

Admit.

Shri Kadu, learned Assistant Government Pleader waives notice on behalf of respondent nos.1 and 2. Shri Raibhandare, learned Counsel waives notice on behalf of respondent no.3.

Call for R & P.

Learned Counsel for appellants shall file private paper book within a period of six months.

JUDGE

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