

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

CIVIL APPLICATION NO.106/2018 IN FIRST APPEAL
ST.NO.22079/2016

Digambar s/o Shamrao Dhole (Dead) thr. LRs. Ramchandra Shamrao Dhole
and Ors. ..vs.. The State of Maharashtra and Ors.

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

Court's or Judge's orders.

Mr. R. J. Shinde, Advocate for applicants.
Mr. I. Damle, Advocate for non applicants.

CORAM : V.M. DESHPANDE, J.
DATED : SEPTEMBER 7, 2018

Heard Mr. Shinde, learned counsel for applicants and Mr. Damle, learned counsel for non applicants.

This is an application for condonation of delay in lodging the appeal filed by the original claimants, seeking further enhancement of compensation. The delay is enormous. Mr. Shinde invited my attention to the order passed by this Court (Coram: Dr. (Smt.) Shalini Phansalkar-Joshi, J.) on 11.07.2017 by which this Court, in connected matter, has condoned the delay of 8886 days.

Learned counsel for the applicants submits that in view of the decision of the Hon'ble Apex Court in the case of Imrat Lal Vs. Special Land Acquisition Officer reported in 2013 DGLS (SC) 1065, the applicants will not be claiming interest on the enhanced

amount of compensation from the decision of the reference Court till the date.

In view of the said, the application is allowed and disposed of subject to the condition that the applicants will not be entitled to claim interest on the enhanced amount of compensation from the date of the decision of the reference Court till the date.

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Heard.

ADMIT.

Call for the record and proceedings.

JUDGE