

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

CIVIL APPLICATION (CAF) NO.101 OF 2018
IN
FIRST APPEAL ST. NO.1428 OF 2017

Sukhdeo Amruta Jadhav

-vs-

State of Maharashtra, Thr. The Collector, Buldhana and ors.

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

Court's or Judge's Orders.

Ms Vidya Umale, Advocate for applicant/appellant.
Ms H. N. Prabhu, AGP for respondent Nos.1 and 3.
Shri M. A. Kadu, Advocate respondent No.2.

CORAM : A.S.CHANDURKAR, J.
DATE : January 09, 2019

Prayer is to condone the delay in filing the appeal. It is stated that the acquiring body had filed First Appeal No.504 of 2016 challenging the judgment passed by the Reference Court. After receiving notice thereof and after arranging Court fees this appeal has been filed.

The application is opposed by the learned counsel for the non-applicant on the ground that the reasons given are not sufficient.

Considering the fact that the judgment of the Reference Court is already subjected to challenge by the acquiring body, the delay in filing the appeal is condoned subject to the appellants not being entitled for interest on the amount of compensation if enhanced from 02/05/2014 to 12/01/2017.

Civil Application is allowed in aforesaid terms.

..2/-

First Appeal St. No. 1428 of 2017

Heard.

Admit.

Ms H. N. Prabhu, learned Assistant Government Pleader waives notice on behalf of respondent Nos.1 and 3. Shri M. A. Kadu, learned counsel waives notice on behalf of respondent No.2.

To be heard along with First Appeal No.504 of 2016.

In the light of orders passed on Civil Application No.101 of 2018 the claimant would not be entitled for interest on amount of compensation if enhanced for the period from 02/05/2014 to 12/01/2017.

JUDGE