

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

C.A.F. NO. 691/2019 IN FIRST APPEAL STAMP NO. 3024/2019
 (SUDHIR TARACHAND THOTE VERSUS STATE OF MAHARASHTRA & OTHERS)

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

Court's or Judge's orders

Shri S.N. Nandeshwar, counsel for applicant.
 Mrs. H.N. Prabhu, A.G.P. for NA-1, 4 & 5.
 Shri M.A. Kadu, counsel for NA-2 & 3.

CORAM : A.S. CHANDURKAR, J.

DATE : FEBRUARY 13, 2019.

Prayer in the civil application is to condone the delay in filing the first appeal.

The reasons for the cause of delay are mentioned in paragraphs 2 and 3 of the civil application.

The prayer is opposed by the learned counsel for the non-applicant nos.1 and 2 on the ground that the reasons mentioned are not sufficient.

However, since the reasons mentioned appear to be satisfactory, the delay in filing the appeal is condoned subject to the applicant not being entitled to interest on the amount of compensation if enhanced for the period from 09.09.2015 to 06.02.2019.

Civil application is disposed of in aforesaid terms.

F.A. ST. NO. 3024/2019.

Heard. **ADMIT.** Call for Record & Proceedings.

Learned Assistant Government Pleader Mrs. H.N.Prabhu waives notice of hearing on behalf of respondent nos.1, 4 and 5.

Learned counsel Shri M.A. Kadu waives notice of hearing on behalf of respondent nos.2 and 3.

In view of order passed on C.A.F. No.691 of 2019, the claimant would not be entitled to interest on the amount of compensation if enhanced for the period from 09.09.2015 to 06.02.2019.

To be heard alongwith First Appeal Stamp No.19329 of 2018.

JUDGE

APTE