

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

C.A.(F) No.329/2018 in FA St.No.6943/2017

Purushottam Wasudeorao Dhok

Vs

The Executive Engineer, Minor Irrigation Division, Wardha and others.

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

Court's or Judge's Orders.

Shri C.R.Najbile, Advocate for applicant.
Shri M.A.Kadu, Adv. for non applicant no.1.
Mrs. Harshada Prabhu, AGP for non applicant nos. 2
and 3.

CORAM : A.S.CHANDURKAR, J.

DATE : 7th January, 2019.

Prayer is to condone the delay in filing the appeal. The reasons for cause of delay are mentioned in para 2 of the application.

The application is opposed by learned counsel for the non applicants on the ground that the explanation furnished is not sufficient.

The reasons stated in para 2 of the application appear probable. At the same time, the claimant can be deprived of interest on the amount of compensation, if enhanced, for the period from 21.09.2015 to 21.03.2017.

Accordingly, the delay in filing the appeal is condoned subject to applicant not being entitled for interest on the amount of compensation, if enhanced, for the period from 21.09.2015 to 21.03.2017.

The civil application is disposed of on the aforesaid terms.

First Appeal No. ____/2019

Heard.

Admit.

Call for record and proceeding.

Shri M.A.Kadu, learned counsel waives notice on behalf of respondent no.1 and Mrs. Harshada Prabhu, learned AGP waives notice on behalf of respondent nos. 2 and 3.

In view of orders passed on CA(F)No. 329/2018, the appellant would not be entitled for interest on the amount of compensation if enhanced from 21.09.2015 till 21.03.2017.

JUDGE

Andurkar