

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

CIVIL APPLICATION (CAF) NO. 600 OF 2019
IN
FIRST APPEAL ST. NO. 19615 OF 2018

Padmakar Shridhar Nirmal

..VS..

The Executive Engineer, Bembla Project Division and ors.

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

Court's or Judge's orders

Shri V.N. Patre, Adv. For appellant.
Mrs. A.S. Athalye, Adv. For respondent no. 1.
Shri A. Palshikar, A.G.P. for respondent nos. 2 and 3.

CORAM : VINAY JOSHI, J.
DATED : 18th NOVEMBER, 2019

Heard.

2. This is claimants' application for the condonation of delay of 573 days caused in filing the First Appeal. It is submitted that, though the award was passed on 27.10.2016, the compensation amount was deposited in March, 2018. According to the appellant, till that date he was financially not potential to file appeal by paying requisite court fee. Besides that, it is brought to my notice that in another First Appeal Stamp No. 20365 of 2018 arising out of same project and village, already delay of more than 300 days was condoned by this Court in the Civil Application No. 1510 of 2019.

3. For all these reasons and in the interest of justice, the delay caused in filing of appeal stands condoned. The aspect of entitlement of interest on the

amount of enhanced will be subject to be considered at the time of final hearing.

4. The Civil Application stands disposed accordingly.

FIRST APPEAL ST. NO. 19615 OF 2018

Heard.

ADMIT.

Learned Counsel Mrs. A.S. Athalye, waives service for respondent no. 1. Learned Assistant Govt. Pleader Shri A. Palshikar waives service for respondent nos. 2 and 3.

Call R & P

JUDGE

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