

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

CIVIL APPLICATION (CAF) No. 3336 OF 2018

IN

F.A.St.No.20389 OF 2017

Ashokrao s/o Deobarao Naik

VS.

The State of Maharashtra thr. Collector, Yavatmal and others

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

Court's or Judge's

Shri. S.U. Nemade, Advocate for appellant.
Smt. Hemlata Jaipurkar, AGP for respondents No.1 & 2.
Smt. Shweta Hanwate h/f. Shri.M.A.Kadu, Advocate for
respondent No.3.

CORAM : Manish Pitale J

DATED : 18.09.20109

This is an application seeking condonation of delay of 1257 days for filing the accompanying appeal. The applicant / appellant is seeking enhancement of compensation by way of accompanying appeal.

2. Although condonation of delay is opposed on behalf of the respondent, considering the the fact that the appellant herein is the original claimant and he is only seeking consideration of his contention regarding entitlement to enhancement of compensation, in the interest of justice, the present application can be conditionally allowed.

3. Accordingly, the application is allowed and delay is condoned subject to the condition that in the event the quantum of compensation payable to the applicant / appellant is enhanced, he would not be entitled to interest for the period delay of 1257 days in approaching this Court.

4. Application stands disposed of.

First Appeal No. _____/2019

Heard learned counsel for the appellant.

2. **Admit.**

3. Call for R & P.

4. Ms.Hemlata Jaipurkar, learned AGP waives notice on behalf of respondents No.1 & 2 and Ms.Shweta Hanwate, learned counsel appearing for Mr.M.A.Kadu waives notice on behalf respondent No.3.

JUDGE