

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

C.A.F. NO. 1433/2018 IN FIRST APPEAL STAMP NO. 21825/2017

(VILAS SHANKARRAO NIRMAL **VERSUS** THE EXE. ENGR. BEMBLA PROJECT DIVN. YAVATMAL & OTHERS)

 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, counsel for applicant.
 Shri M.A. Kadu, counsel for NA-1.
 Mrs. H.N. Prabhu, A.G.P. 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 no.1 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 23.05.2017 to 03.10.2017.

Civil application is disposed of in aforesaid terms.

F.A. ST. NO. 21825/2017.

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

Learned counsel Shri M.A. Kadu waives notice of hearing on behalf of respondent no.1.

Learned Assistant Government Pleader Mrs. H.N.Prabhu waives notice of hearing on behalf of respondent nos.2 and 3.

In view of order passed on C.A.F. No.1433 of 2018, the claimant would not be entitled to interest on the amount of compensation if enhanced for the period from 23.05.2017 to 03.10.2017.

JUDGE

APTE