

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

C.A.F. NO. 3439/2018 IN FIRST APPEAL ST. NO. 27017/2017
(VYANKTESH CHINDUJI GAURKAR VERSUS THE STATE OF MAHARASHTRA & ANOTHER)

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

Court's or Judge's orders

Shri A.P. Satpute, counsel for applicants.
Mrs. H.N. Prabhu, A.G.P. for NA-1
Shri M.A. Kadu, counsel for NA-2.

CORAM : A.S. CHANDURKAR, J.

DATE : JANUARY 23, 2019.

Notice on the application is made returnable forthwith.

Learned Assistant Government Pleader Mrs. H.N. Prabhu waives notice on behalf of non-applicant no.1.

Learned counsel Shri M.A. Kadu waives notice on behalf of non-applicant no.2.

Prayer is to condone delay in filing the appeal. In the application it is stated that as the amount of enhanced compensation was not received, the delay in filing the appeal was caused.

Considering the reasons mentioned in the application and as the applicant is willing to forgo interest on the amount of compensation if enhanced for the period of delay, the delay is liable to be condoned. Hence, the delay in filing the appeal stands condoned subject to the applicant not being entitled for interest on the amount of compensation, if enhanced for the period from 07.10.2016 to 11.12.2017. Civil application is allowed in aforesaid terms and disposed of.

F.A. ST. NO. 27017/2017.

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

Learned Assistant Government Pleader Mrs. H.N. Prabhu waives notice of hearing on behalf of respondent no.1.

Learned counsel Shri M.A. Kadu waives notice of hearing on behalf of respondent no.2.

In view of order passed on C.A.F. No. 3439 of 2018, the appellant would not be entitled for interest on the amount of compensation, if enhanced for the period from 07.10.2016 to 11.12.2017.

JUDGE

APTE