

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

CIVIL APPLICATION (CAF) NO. 3062/2019
IN F.A.(St.) NO.133/2018

Murlidhar S/o. Vikram Lengure and Anr.,
..VS..

State of Maharashtra, through the Collector, Wardha 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 H. R. Gandhi, Advocate for the applicants.
Ms R. V. Kaliya, Advocate for the respondent Nos.1 and 2.
Shri C. J. Dhumane, Advocate for the respondent No.3.

CORAM : AVINASH G. GHAROTE, J.

DATED : 08th January, 2020

This is an application for condoning the delay of 188 days in filing of the appeal under Section 54 of the Land Acquisition Act, against the judgment dated 08.03.2017 passed by the 2nd Joint Civil Judge, Senior Division, Wardha in L.A.C. No.76 of 2013. It is submitted that after getting the certified copy of the impugned order, the same was handed over to local counsel for drafting the appeal, however, after keeping the matter for substantial time, the said counsel expressed inability to draft the appeal, consequent which the papers were received back. During the search of another counsel, appellant fell ill therefore, he could not take necessary steps which has caused the delay.

Shri C. J. Dhumane, learned counsel appears for the respondent No.3 as well as learned AGP appears for respondent Nos.1 and 2, and opposes the application.

However, the learned counsel for the appellant has invited my attention to a statement made in the application, in effect that the appellant are ready and willing to waive the interest for delayed period on the enhanced compensation, if any, which may be granted by this Court. The statement is accepted. The delay of 188 days is condoned. The civil application is allowed accordingly.

Office is directed to register the appeal and listed for admission.

Shri C. J. Dhumane, learned counsel appearing for the respondent No.3 submits that he has instructions to waive notice on merits of the appeal upon appeal being registered. Statement is accepted. Same statement made by the learned AGP appears for respondent Nos.1 and 2

JUDGE

Kirtak