

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

CIVIL APPLICATION (F) NO. 3775 OF 2019
IN
FIRST APPEAL STAMP NO. 3420 OF 2019

Ganesh Digambarrao Deshmukh
V/s
State of Maharashtra, through Collector, Buldana and others.

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Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

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Shri S.D. Dharsakar, adv. h/f Shri K.S. Narwade, advocate for applicant/appellant.
Shri M.A. Kadu, AGP for respondents.

CORAM : S.M. MODAK, J.
DATE : 02.12.2020.

The Civil Judge, Senior Division, Buldana as per the award dated 10.07.2013 has enhanced the compensation. The original claimant is not satisfied. There is a delay in preferring an appeal. Today, it is listed for the first time.

2. Issue notice to the respondents. Learned AGP Shri M.A. Kadu waives notice for respondent Nos. 1 to 3.

3. By consent, this application is taken up for hearing. I find that reasons mentioned in the application convincing. The applicant is ready to waive the interest for the period for which delay condonation is sought as observed by the Hon'ble Supreme Court in case of *Imrat Lal and others V/s Land Acquisition Collector and others reported in 2014 (9) SCALE 446*. The date of the judgment

is 10.07.2013. The applicant/appellant ought to have preferred in the appeal within 90 days. Hence, the order:-

ORDER

- a] The delay caused in preferring the appeal, is condoned.
- b] The delay is condoned subject to waiver of the interest for the period, for which delay is condoned.
- c] Civil application is disposed of.

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Issue notice to the respondents.

- 2. Learned A.G.P. Shri M.A. Kadu waives notice for respondent Nos. 1 to 3.
- 3. **Admit.**
- 4. Call record and proceedings.

JUDGE