

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

Civil Application [CAF] No.4441 of 2019
in
First Appeal St.No.12861 of 2019

Shri Vitthal Rukhmini Devasthan Public Trust
vs.

The State of Maharashtra, through Collector, Wardha & others

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

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Court's or Judge's Orders

*Shri C.R. Najbile, Advocate for the Applicant/Appellant.
 Shri M.A. Kadu, A.G.P. for Respondent Nos.1 & 2.
 Shri S.G. Jagtap, Advocate for Respondent No.3.*

CORAM : S.M. MODAK, J.
DATE : 15th DECEMBER, 2020

Heard.

The Reference Court has enhanced the compensation as per the judgment dated 29/09/2015. The original claimant says that the enhancement is inadequate. He took time of 1276 days in preferring an appeal. The acquired land belongs to the trust. For want of financial means, the appellant could not prefer an appeal in time. It is also better to decide the matter on merits. The appellant is ready to waive interest for the period condoned. It is opposed on behalf of the respondents. The reasons are convincing. Hence, the following order :

Delay of 1276 days caused in preferring the appeal is condoned subject to waiver of interest for that period. The appeal be registered.

The application is allowed and disposed of accordingly.

First Appeal St. No.16016/2019 :

Heard.

Issue notice to the respondents.

Shri Kadu, learned A.G.P. waives notice for respondent Nos.1 & 2 and Shri Jagtap, learned Advocate waives for respondent No.3.

Call for record and proceedings.

Paper book be filed within a period of one year.

The appellant is directed to supply copies to all the respondents.

JUDGE

**sandesh*