

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

Civil Application [CAF] No.1440 of 2020
in
First Appeal No.976 of 2007

Wasudeo s/o Baladeo Jemati
 vs.

State of Maharashtra, through Collector, Nagpur & others

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

Court's or Judge's Orders

*Shri Sharad Thakare, Advocate for the Applicant/Appellant.
 Shri A.S. Fulzale, Additional G.P. for Respondent Nos.1 & 2.
 Shri M.A. Kadu, A.G.P. for Respondent No.3.*

CORAM : S.M. MODAK, J.
DATE : 4th DECEMBER, 2020.

Heard learned Advocate Shri Thakare for the appellant, learned Additional Government Pleader Shri Fulzale for respondent Nos.1 & 2 and learned A.G.P. Shri Kadu for respondent No.3.

This Court, while disposing of First Appeal No.976/2007, was pleased to observe that interest is waived by the appellant. Instead of waiving of the interest for the entire period, it should have been only for the period, which was condoned. So also, learned Advocate Shri Kadu should have been referred as learned A.G.P. representing respondent No.3. Hence, the following order :

- i. In Paragraph 10 of the judgment, in stead of "has agreed to waive interest", it should be corrected as "has agreed to waive the interest for the period of 1705 days condoned by this Court vide its order dated 06/11/2020 passed on Civil Application [CAO] No.591/2020".

- ii. So also, in operative part of the judgment, direction No.2(a) “(interest part is waived by the appellant)” should be corrected as “(interest part for the delay condoned period of 1705 days is waived by the appellant”.
- iii. So also, in operative part, direction No.2(a), it be mentioned that the appellant is entitle to all other statutory benefits.
- iv. Learned Advocate Shri Kadu be referred to as the learned A.G.P. in the cause title of the judgment.
- v. The application is allowed and disposed of accordingly.

JUDGE

**sandesh*

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