

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

Civil Application (F) No.1511/2019 in First Appeal St. No.16500/2018
(Kantabai Lohiya V State of Maharashtra and others)

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

Court's or Judge's orders

Shri R.P. Masurkar, Adv for appellant.
Ms T.H. Udeshi, AGP for resp. nos.1 and 3.

CORAM : S.M. MODAK, J.
DATE : 08-12-2020.

Heard.

The original claimant is not satisfied with the enhancement granted by the Reference Court. The judgment is pronounced on 07-02-2017. Due to financial incapacity he could not prefer appeal in time.

The prayer is opposed by learned AGP appearing for respondent nos. 1 and 3.

Though respondent no.2 is served no one appears for them.

The reasons are convincing. The appellant is ready to waive the interest for the period of 406 days. Hence, the order :-

ORDER

- (a) The delay of 406 days caused in preferring an appeal is condoned, subject to waiver of the interest for that period.
- (b) Application is disposed of.

First Appeal No.-----/2020

Heard.

Issue fresh notice to respondent no.2, returnable in the first week of February, 2021.

Ms Udeshi, learned AGP waives notice for respondent nos.1 and 3.

Admit.

Call for the record and proceedings.

Paper book be filed within a period of six months

(S.M. Modak, J.)