

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

Civil Application (CAF) No.230/2021
IN
First Appeal Stamp No.312/2021

Shri Ukanda Kisan Gawande **Vs.** State of Maharashtra, thr. Collector, Yavatmal & Ors.

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

Court's or Judge's Orders

Shri Irfan M. Ghongade, Advocate for the Appellant.
Ms. T.H. Udeshi, AGP for Respondent Nos.1 and 2.
Shri S.G. Jagtap, Advocate for Respondent No.3.

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATE : 15th FEBRUARY, 2021.

The applicant has sought to condone the delay of 1471 days in challenging the judgment and award dated 28/09/2016 passed by the Reference Court in L.A.C. No.291/2003.

The delay is inordinate. Nevertheless, considering the reasons stated in the application and in view of the dictum of the Hon'ble Apex Court in the case of *Ningappa Thotappa Angadi (Dead), through Lrs. Vs. the Special Land Acquisition Officer & Another (Civil Appeal No.9415/2019)*, the delay is condoned. The applicant shall not be entitled for any interest during the delayed period i.e. from the date of impugned judgment till the date of the application.

The civil application stands disposed of.

Appeal be registered after removing office objections, if
any.

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Learned counsel for the appellant states that the matter is covered by the judgment dated 05/02/2020 passed by this Court in First Appeal No.1542/2019. Learned counsel for the respondents to go through the judgment.

Matter be listed on 26/02/2021 for final hearing.

First Appeal Stamp Nos.321/2021, 0196/2021, 0403/2021, 0307/2021, 0315/2021, 4498/2020, 3844/2020, 4450/2020, 4434/2020, 4485/2020, 4491/2020, 4384/2020, 4494/2020, 4446/2020, 4440/2020 be tagged with this appeal.

(SMT. ANUJA PRABHUDESSAI, J.)