

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

Civil Application [CAF] No.186 of 2020
in
First Appeal St. No.19242 of 2019

Devkant Moreswar Chichate

vs.

State of Maharashtra, through its 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 S.D. Chopde, Advocate for the Applicant-Appellant.
Ms. H.N. Jaipurkar, A.G.P. for the Respondents.*

CORAM : S.M. MODAK, J.
DATE : 17th JUNE, 2021.

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

There is a delay of 36 days in preferring an appeal. The judgment was pronounced on 13/05/2019 and copy was applied on 28/06/2019 and delivered on 19/06/2019. It took time to follow up and interact with the Advocate and, therefore, the claimant could not prefer an appeal in time. Condonation is opposed on behalf of the respondents. I find the reasons convincing. The only thing is that for that condoned period, the appellant will not get interest if at all he will succeed in the appeal. Hence, the order :

The delay of 36 days caused in preferring the appeal is condoned subject to waiver of interest for the delayed period.

First Appeal St. No.19242/2019 :

Heard.

Issue notice to the respondents.

Ms. Jaipurkar, learned A.G.P. waives notice for the respondents.

Admit.

Call for record and proceedings.

JUDGE

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