

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

CIVIL APPLICATION NO. 16/2022 IN
MISC. CIVIL APPLICATION STAMP NO. 06/2022 IN
FIRST APPEAL ST NO.20122/2001 (R.C. NO.14/2002)

Abdul Matin Abdul Kadar Vs.
State of Maharashtra through Collector and / or Special Land Acquisition
Officer, Zilla Parishad Work, Amravati and another.

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

Court's or Judge's orders

Ms S.W. Deshpande, Advocate for appellant
Ms T.H. Udeshi, AGP for respondents

CORAM : SMT. M.S. JAWALKAR, J.
DATE : 30/08/2022

Heard.

2. It appears that learned Counsel for the appellant deposited the amount of Rs.10,000/- by its CCDR No. 29788 dated 17/08/2022. The office put up the note that appellant deposited Rs.10,000/- only for recalling of order but not deposited costs of Rs.10,000/- as yet for condoning the delay as directed by order dated 26/07/2022. In paragraph No.4 of the said order, it appears that, inadvertently the words “ as referred above” are missing after words “subject to costs of Rs.10,000/- .

3. The necessary corrections are required to be carried out in the paragraph No.4 as mentioned above.

4. Accordingly Civil Application No. 16/2022 is disposed of in terms of order dated 26/07/2022 and corrections made by this order.

MISC. CIVIL APPLICATION (STAMP 6/2022) NO. 518/2022

The present application is filed for restoration of First Appeal Stamp No. 20122/2001 which was dismissed for non removal of office objections. As delay is already condoned, subject to payment of costs and the same is deposited by the applicant, the application for restoration of First Appeal is hereby allowed. Considering the nature of objections, the conditional order passed by Additional Registrar dated 11/12/2001 taking effect on 26/12/2001 is hereby quashed and set aside. However it is made clear that the appellant is not entitled for interest for delayed period if amount of compensation is enhanced.

2. Registry is directed to register first appeal on its original stamp number.
3. The learned Counsel for the appellant to remove office objection/s within two weeks after registration of the first appeal.
4. Misc. Civil Application Stamp No.6/2022 is disposed of.
5. Office to take note of correction made in paragraph No.4 of order dated 26/07/2022.

(SMT. M.S. JAWALKAR, J.)

Jayashree..