

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
CIVIL APPLICATION (CAF) NO. 1210 OF 2022
IN
FIRST APPEAL (ST) NO. 1006 OF 2020

Dilip Shridhar Hote

Vs.

State of Maharashtra and Ors.

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

Court's or Judge's Orders.

Mr. Anurag Mankar, Advocate h/f Mr. K.S. Narwade,
Advocate for applicant.
Mr. M.A. Kadu, AGP for respondent/State.

CORAM : ABHAY AHUJA, J.

DATE : 12.09.2022.

This is an application seeking condonation of delay of 765 days in filing of the appeal against the judgment and order dated 11.09.2017 passed by the learned Civil Judge Senior Division, Yavatmal, in LAC No.188/2007 for claiming further enhancement.

2. The learned counsel for the applicant submits that the Award was passed on 11.09.2017 whereas the payment of compensation has been received by the appellant only on 15.07.2019 and therefore, this Court need not record waiver of interest for the delayed period.

3. Mr. Kadu, learned AGP appearing for respondents submits that he has no objection, subject to waiver of interest for the delayed period.

4. The learned counsel for the applicant has also drawn attention of this Court to paragraphs 2 and 3 of the application to explain the delay caused in filing of the first appeal.

5. Having heard the learned counsel for the parties and having perused the application, this Court is of the view that the delay of 765 days deserves to be condoned. There is sufficient cause in doing so as explained in paragraphs 2 and 3 of the application.

6. The delay of 765 days in filing the first appeal be condoned subject to waiver of interest for the delayed period commencing from 16.07.2019 till the date of the filing of the first appeal.

7. The civil application stands disposed. List the appeal for admission on **03.10.2022**.

JUDGE