

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

CIVIL APPLICATION (CAF) NO.984/2022

Smt. Gitabai w/o Sadanand Nirpase

Vs.

The State of Maharashtra through the Collector Yavatmal and others.

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

Court's or Judge's Orders

Shri G.R. Kothari, Advocate for the applicant/appellant
Shri N.R. Patil, AGP for respondents.

CORAM : S.M. MODAK, J.

DATE : 08/06/2022

1. Today the matter is listed for first time.
2. Issue notice to the respondents.
3. Shri N.R. Patil, learned AGP waives notice for respondents.
4. There is a delay of 5879 days in preferring the appeal. The Reference Court by the common judgment dated 02/01/2004 was pleased to dispose of several land references. The present application is in respect of the LAC No.102/1997. Whereas this Court has decided First Appeal against the judgment in LAC No.100/1997. For want of financial means, the appeal could not be preferred in time. According to the learned AGP, if the delay is condoned the applicant is not entitled to get interest for that period.
5. In view of the above circumstances, the delay of 5879 days is condoned. Applicant will not be entitled for interest for that period.
6. Civil application is disposed of.

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FIRST APPEAL STAMP NO.6425/2022

1. Issue notice to the respondents.
2. Shri N.R. Patil, learned AGP waives notice for respondents.
3. It is submitted by the appellant that the matter is covered by the judgment of this Court.
4. In view of that, matter be kept for hearing at the admission stage for final disposal after **three weeks**.
5. Call for the record and proceedings.

JUDGE

R.S. Sahare