

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

CIVIL APPLICATION NO.1877 OF 2021 IN
FIRST APPEAL (ST.) NO.13461 OF 2020

(Roshankhan s/o Bashirkhan Pathan & anr. Vs. The State of Mah. & ors.)

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

Court's or Judge's Order

Shri N.S. Bhelkar, Advocate for the appellant.
Shri M.A. Kadu, A.G.P for respondent Nos.1 and 2.
Shri J.B. Kasat, Advocate for respondent No.3.

CORAM : M.S. KARNIK, J.
DATED : APRIL 27, 2022.

Heard.

2. This is an application for condonation of delay.

3. The appeal is filed for enhancement of the compensation by the claimant. The delay is of 3090 days.

4. Learned counsel for the applicant/claimant makes a statement on instructions that in the event of the appeal succeeds he will not claim any interest for the delayed period.

5. The statement is accepted.

6. There is no reply filed on behalf of the contesting respondents.

7. Shri Kadu, learned A.G.P for respondent Nos.1 and 2 and Shri Kasat, learned counsel for respondent No.3 opposed the application.

8. However, for the reasons mentioned in the application, I am satisfied that the delay is bonafide and satisfactorily explained.

9. One more contention is that this Court has enhanced the compensation in similar cases.

10. For the reasons mentioned in the application, the delay is condoned. The application is allowed.

11. List the first appeal after vacation i.e. on 15/06/2022.

(M.S. KARNIK, J.)

**DB*