

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

CIVIL APPLICATION (CAF) NO. 2345 OF 2021
IN
FIRST APPEAL (ST.) NO. 101 OF 2020

PRALHAD S/O. PUNJAJI FAD

...**VERSUS**...

THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION, WASHIM AND ANR.

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

Court's or Judge's order

Shri Rahul Ghuge, Advocate Advocate for applicant/appellant.
Ms. T. H. Udeshi, AGP for respondent no. 2.

CORAM : SMT. M. S. JAWALKAR,J.

DATE : 26th JULY, 2023

The present application is filed for condonation of delay of 636 days in preferring the First Appeal.

2. Ms. T.H.Udeshi, learned AGP for respondent no. 2 opposed the present application and submitted that if at all, the delay is to be condoned, it will be condoned subject to condition that the appellant will not be entitled for any interest on enhanced compensation as well as statutory compensation.

3. For the reasons stated in para nos. 3 and 4 of the application, I am satisfied that delay needs to be condoned, subject to condition of waiver of interest on enhanced compensation as well as statutory compensation. As such, the application is allowed. Delay of 636 days in filing First Appeal is hereby condoned.

4. Registry is directed to register the First Appeal.

5. It is made clear that the applicant/appellant is not entitled for any interest on enhanced compensation as well as statutory compensation for delayed period of 636 days.

6. Accordingly, the application stands disposed of.

(Smt. M.S. Jawalkar, J.)

B.T.Khapekar