

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

CIVIL APPLICATION (CAO) NO. 279/2022 IN
MCA ST. NO. 10436/2021 IN FA. NO. 251/2017

Prakash S/o Bhimrao Pandav

Vs

State Of Maharashtra Through Collector Amravati And 2 Others

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

Court's or Judge's Order

Mr A.B. Nakshane, advocate for the appellant/applicant.

Ms T.H. Udeshi, AGP for the respondent Nos. 1 and 2.

Ms Mallika Babhulkar, advocat h/f Mr M.A. Kadu, Advocate for the respondent No.3.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 26/04/2023.

1. Heard.
2. The present application is for condonation of delay of 961 days which is caused in preferring the restoration application.
3. The ground raised by the appellant is that inadvertently he has not noted the conditional order passed by the Court regarding filing of the private paper-book, so it was not complied and therefore, the delay is caused.
4. Considering the reasons mentioned in the application, delay of 961 days is condoned, subject to waiver of the interest, if the appellant succeeds in the enhancement of the compensation.

Civil application is **disposed of**.

MISC. CIVIL APPLICATION ST. NO. 10436/2021

On filing of the private paper book within a period of eight weeks, the appeal be restored on its original stage.

Misc. Civil Application is **disposed of**.

CIVIL APPLICATION (CAO) NO. 644/2023

1. The present application is seeking for condonation of delay of 800 days in preferring the restoration of the above said matter against respondent No.3.

2. In view of the reasons mentioned in the application, a delay of 800 days is condoned, subject to the waiver of the interest, if the appellant succeeds in the enhancement of the compensation.

3. The appeal is restored on its original stage against respondent No.3, considering the reasons mentioned in the application.

Civil application is **disposed of**.

FIRST APPEAL NO. 251/2017

Call for record and proceedings.

JUDGE