

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

CIVIL APPLICATION (CAF) NO. 1191 OF 2023
IN
FIRST APPEAL (ST.) NO. 8832 OF 2021

BAJIRAO WARLU WASAKE (DEAD) THR. LRS. CHETAN RAMCHANDRA WASAKE AND ANR.

...**VERSUS**...

STATE OF MAHARASHTRA THR. THE COLLECTOR, YAVATMAL AND ORS.

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

Court's or Judge's order

Shri Yash Bangale, Advocate h/f. Shri A.S.Dhore, Advocate for
appellants/applicants.
Ms. T.H.Udeshi, AGP for respondent nos. 1 and 3.

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

DATE : 15th JUNE, 2023

Heard.

2. The present application is filed for condonation of delay in filing First Appeal. There is delay of 1203 days in filing First Appeal.

3. It is contended that in LAC No. 361/2013, the compensation of the similarly situated land has been held as Rs. 3,81,50/- per hector. The applicants got knowledge of the said judgment recently. Therefore, there is delay in filing First Appeal.

4. I am not satisfied with the reason given by the applicants, however, in view of the undertaking given by the applicants that they will not claim any interest on enhanced compensation or statutory compensation for the delayed period, I am inclined to allow the application. Accordingly, the application is allowed. Delay in filing First Appeal is hereby condoned.

5. Registry is directed to register the First Appeal.
6. It is made clear that the claimants/applicants will not be entitled for any interest on enhanced compensation or statutory compensation for the delayed period.
7. Accordingly, the application stands disposed of.

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

B.T.Khapekar