

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

CIVIL APPLICATION (CAF) NO. 138 OF 2022
IN
FIRST APPEAL (ST.) NO. 9235 OF 2020

BHAURAO S/O. BADUSINGH RATHOD AND ORS.

...VERSUS...

THE STATE OF MAHARASHTRA, REPRESENTED BY 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 D.U.Thakre, Advocate for appellants/applicants.
Ms. T.H.Udeshi, AGP for respondent nos. 1 and 2/State.

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

DATE : 15th JUNE, 2023

Heard.

2. The present application is filed for condonation of delay of 308 days in filing First Appeal.
3. In spite of service, respondent no. 3 is absent.
4. Learned AGP is present for respondent nos. 1 and 2.
5. The reason given for delay is that the applicants were not aware about filing of appeal, therefore, delay has been caused. It is also submitted that due to outbreak of Covid-19 pandemic, some delay has been caused.
6. Learned counsel for the applicants submits that they will not claim any interest on enhanced compensation or statutory compensation for the delayed period. In view thereof, I proceed to pass the following order:-

ORDER

- a) The application is allowed.
- b) Delay of 308 days in filing First Appeal is hereby condoned.
- c) Registry is directed to register the First Appeal.
- d) The claimants/applicants will not be entitled for any interest on enhanced compensation or statutory compensation for the delayed period.
- e) Accordingly, the application stands disposed of.

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

B.T.Khapekar