

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

CIVIL APPLICATION (CAF) NO. 177 OF 2023
IN
FIRST APPEAL (ST.) NO. 17848 OF 2022

SAU. LALITA MANOHAR BHOKARE AND ORS.

...VERSUS...

THE STATE OF MAHARASHTRA THR. DISTRICT 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 Anurag Mankar, Advocate h/f. Shri K.S.Narwade, Advocate for applicants/appellants.

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

Ms. Mallika Babhulkar, Advocate h/f. Shri M.A.Kadu, Advocate for respondent nos. 3 and 5.

Shri N.S. Jadhav, Advocate for respondent nos. 4(a to c).

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

DATE : 12th JUNE, 2023

Heard learned counsel for both the parties.

2. The present application is filed for condonation of delay of 3625 days.

3. It is contended that all the applicants/claimants are ladies and residing at different places. They are rustic and illiterate villagers. In view thereof, they were not aware about their legal rights and therefore, the delay is caused. In para no. 6 of the application, the applicants have given undertaking that they are ready to forgo the interest on the amount of enhanced compensation, if any, for the delayed period. As such, though the application is opposed by learned counsel for the respondents, in view of the undertaking, I am

inclined to allow the application. Accordingly, the application is allowed. Delay in filing the First Appeal is hereby condoned.

4. Registry is directed to register the First Appeal.

5. It is made clear that the applicants/claimants will not be entitled for the interest on enhanced compensation as well as statutory compensation for the delayed period.

FIRST APPEAL (ST.) NO. 17848 OF 2022

Heard.

2. **Admit.**

3. Ms. T.H.Udeshi, learned AGP waives notice for respondent nos. 1 and 2.

4. Ms. Mallika Babhulkar, learned counsel h/f. Shri M.A. Kadu, learned counsel waives notice for respondent nos. 3 and 5.

5. Shri N.S.Jadhav, learned counsel waives notice for respondent nos. 4(a to c).

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

B.T.Khapekar