

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

CIVIL APPLICATION (CAF) NO.3028/2019
IN
FIRST APPEAL ST. NO.27368/2018

Devidas Raman Sonune (dead) thr. LR's Gayabai w/o Devidas Sonune and others
Vs.
The Collector, Yavatmal and others

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

Court's or Judge's orders

Shri V.N. Patre, Advocate for applicants
Shri K.L. Dharmadhikari, AGP for respondent Nos.1 and 3
Shri T.M. Zaheer, Advocate for respondent No.2
Shri Kritik Shekha, Advocate h/f Shri R.S. Kurekar,
Advocate for respondent No.4

CORAM : SMT. M.S. JAWALKAR, J.
DATED : 20/06/2023

The present application is filed for condonation of delay in filing First Appeal. There is delay of 4018 days. It is submitted that the applicants were not aware about legal procedure to be followed. However, amount paid belatedly on 07/10/2013 whereas award passed in 2007. The elder brothers also expired and some amount was expended on their medical treatment. As such, they were not having necessary Court Fees and other expenses. However, considering the fact that applicants are ready to bare interest on enhanced compensation and statutory amount for delayed period, I am inclined to allow the application.

2. The application is strongly objected by learned Counsel for respondents.

3. In similar matter, in respect of brother of applicant, already delay has been condoned. Hence, application is allowed.

4. Delay in filing First Appeal is hereby condoned subject to condition that the appellant will not claim any interest on enhanced compensation or statutory amount.

5. The application stands disposed of accordingly.

6. The Registry is directed to register the First Appeal.

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List the matter after one week for admission.

JUDGE

R.S. Sahare