

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 17657 OF 2023
IN
FIRST APPEAL (ST) NO. 31339 OF 2023

Dilip Suryabhan Dhavane

... Applicants/Appellants

Vs.

The Executive Engineer, Minor Irrigation
Department No.2, Solapur And Ors.

... Respondents

Adv. Sujeet Bugade, for the Appellants/Applicants.

Adv. Aparna D. Vhatkar, for the Respondent No. 2 in FAST/31339/2023.

Mr. A. R. Patil, AGP for the Respondent/State.

CORAM : KISHORE C. SANT, J.

DATE : 1st March, 2024

P.C.:-

1. Heard. This Application is filed seeking condonation of delay of 1 years 97 days caused in filing the First Appeal.
2. The Appeal is filed challenging the Judgment and award passed by the Id. Civil Judge Senior Division Solapur in Land Acquisition Reference No. 95 of 2009 in file No. LAQ Sr. No. 11 of 2002, under Section 18 of the Land Acquisition Act, 1894. Considering that the Applicants have lost there valuable property and the Appeal is filed for seeking enhancement of the amount of compensation. The Learned Advocate for the Applicants fairly submits that the Applicants claim interest for the delay

period, if in case the Appeal is allowed.

3. The Learned Advocate for the Respondent No. 2, however since the Applicants are ready to waive the notice for the delay period. Delay stands condoned.

4. The Application is allowed and disposed of. It is made clear that the Applicants shall not be entitled to receive interest for the delay period in case the compensation is enhanced.

(KISHORE C. SANT, J.)