



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

CIVIL APPLICATION (CAF) NO. 1931 OF 2023

IN

FIRST APPEAL (ST.) NO. 1071 OF 2022

Pandurang Ramkrushna Yende and others .VS. State of Maharashtra and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mr A. B. Nakshane Advocate for the appellants
Mr S. S. Hulke, AGP for respondent Nos.1 and 2
Mr M. A. Kadu, Advocate for respondent No. 3

CORAM : G.A. SANAP, J.
DATE : MARCH 04, 2024.

Heard learned advocates for the parties.

2. This is an application for condonation of 1740 days delay caused in filing appeal against impugned judgment and award, dated 12.03.2015 passed by the Civil Judge (Sr. Dn.) Yavatmal. The reasons have been stated in the application.

3. In view of the reasons, the application is allowed.

2. Delay of 1740 days caused in filing appeal stands condoned.

3. It is made clear that in view of the decision in *New Okhla Industrial Development Authority Vs. Rameshwar @ Ramesh Chandra Sharma (Dead), through Legal Heir and another (2022 SCC Online SC*

1599), the original land owners/ claimants/appellants herein shall not be entitled to get any statutory benefits, including the interest payable under the Land Acquisition Act on the enhanced amount of compensation for the delayed period, in case the appeal is allowed.

4. The first appeal be registered.

5. The application stands **disposed of**, accordingly.

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6. Heard.

7. **ADMIT.**

8. Learned AGP waives service of notice on behalf of respondent Nos. 1 and 2.

9. Learned Advocate Mr. M. A. Kadu waives service of notice on behalf of respondent No. 3.

10. Call for record and proceedings.

11. Paper book be filed within twelve weeks from the date of receipt of record and proceedings. If the paper book is not filed within twelve weeks the appellant shall pay costs of Rs.2,500/-.

(G. A. SANAP, J.)