



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

CIVIL APPLICATION (CAF) NO. 1760 OF 2024
IN
FIRST APPEAL (ST.) NO. 1627 OF 2024

Shri Suresh Maroti Lohakpure

..VS..

State of Maharashtra through Collector, Yavatmal and two others

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

Court's or Judge's orders

Mr. I.M. Ghongade, Advocate for applicant/appellant.

CORAM : SANJAY A. DESHMUKH, J.

DATED : 16th JULY, 2024

1. Issue notice to the respondents.
2. Mr. P. P. Pendke, learned A.G.P. waives service of notice on behalf of respondent Nos.1 and 2.
3. Mr. T. M. Zaheer, learned Advocate waives service of notice on behalf of respondent No.3.
4. This is an application for condonation of delay of 1739 days caused for filing first appeal.
5. Perused the application.
6. The learned Advocate for the respondents strongly opposed the application.
7. Heard learned Advocates for both sides.
8. For the reasons stated in the application, the application is allowed in the interest of justice. Delay of 1739 days caused for filing first appeal is condoned. It is clarified that if the appeal is allowed, the appellant will not be entitled the interest of delayed period as per the

judgment passed in *New Okhla Industrial Development Authority Vs. Rameshwar @ Ramesh Chandra Sharma*, reported in *2022(16) Scale 653*.

FIRST APPEAL (ST.) NO. 1627 OF 2024

1. Issue notice to the respondents.
2. Mr. P. P. Pendke, learned A.G.P. waives service of notice on behalf of respondent Nos.1 and 2.
3. Mr. T. M. Zaheer, learned Advocate waives service of notice on behalf of respondent No.3.
4. Call for record and proceedings.
5. Stand over after **four weeks**.

(SANJAY A. DESHMUKH, J.)