



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

Civil Application (CAF) No. 15 of 2024

in

First Appeal St. No. 2657 of 2023

[Dyaneshwar s/o Santoshrao Mohod ..vs.. Chief Engineer, Maharashtra Airport Authorities, Nagpur
and ors.]

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

Court's or Judge's orders

Mr. S. B. Bangde, Advocate for the applicant/appellant
Mr. B. M. Lonare, AGP for respondent nos. 2 and 3

CORAM : ANIL L. PANSARE J.

DATED : 13-03-2024

By the present application, the applicant is seeking to condone the delay of 710 days in filing the appeal.

Learned counsel for the applicant makes a statement that the applicant/appellant shall not claim interest on the enhanced compensation for the delayed period. He has relied upon the judgment of Hon'ble Supreme Court in the case of *Ningappa Thotappa Angadi (dead) through L.Rs. Vs. Special Land Acquisition Officer and anr. [(2020) 19 SCC 599]* in which delay of 2928 days was condoned.

The Hon'ble Supreme Court in the case of *Imrat Lal and others Vs. Land Acquisition Officer [2014 (9) Scale 446]* has condoned the delay of 1110 days by not allowing the interest on the enhanced compensation for the delayed period.

Learned counsel for the applicant submits that the applicant is also not claiming the interest on the

enhanced compensation for the delayed period. He further submits that in identical matter, this Court vide order dated 7-11-2023 in First Appeal No. 768/2017 has condoned the delay of 1509 days.

In view of the above, the application deserves to be allowed and stands allowed, subject to the condition that the applicant shall not be entitled to claim interest on the enhanced compensation for the delayed period.

The application stands disposed of in above terms.

The appeal be registered and processed in accordance with the rules.

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Heard.

Admit.

Call R & P.

The appellant shall file private paper book within eight weeks of receipt of R & P.

Learned Assistant Government Pleader waives notice for respondent nos. 2 and 3.

(Anil L. Pansare, J.)