



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

CIVIL APPLICATION (CAF) NO. 2296 OF 2023

IN

FIRST APPEAL (St.) NO. 3571 OF 2020

Narayan S/o. Tukaramji Fating

.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 Pavan Sirse, Adv. h/f. Mr R. J. Shinde, Advocate for the appellant
Ms Soniya Thakur, AGP for respondent Nos. 1 and 2/State

CORAM : G.A. SANAP, J.

DATE : MARCH 19, 2024.

Heard.

2. This is an application for condonation of 1018 days delay caused in filing appeal against impugned judgment and award, dated 2.02.2017 passed by the Civil Judge (Sr. Dn.) Wardha. The reasons have been stated in the application. In view of the reasons, the application is **allowed**.

3. Delay of 1018 days caused in filing appeal stands condoned.

4. It is made clear that in view of the decision in the case of *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.

5. The first appeal be registered.

6. The civil application stands **disposed of**, accordingly.

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7. Heard.

8. ADMIT.

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

10. Call for record and proceedings.

11. Paper book be filed within six weeks from the date of receipt of record and proceedings.

(G. A. SANAP, J.)

Namrata