



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

CIVIL APPLICATION NO.3182/2023 IN
FIRST APPEAL STAMP NO.4731/2021

Vijay Ramkrushna Asegaonkar .Vs. State of Maharashtra 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. P. P. Deshmukh, Advocate for applicant.
Mrs. H. Prabhu, A.G.P for non applicants.

CORAM : **ANIL L. PANSARE, J.**
DATE : **04.01.2024**

At the outset, learned counsel for the applicant seeks leave to join the acquiring body as party respondent no.4.

Leave is granted. The amendment be carried out within one week.

By the present application, the applicant is seeking to condone the delay of 983 days in filing the appeal.

The learned Counsel for the applicant has relied upon the decision of the Hon'ble Supreme Court in the case of **Imrat Lal and others V/s Land Acquisition Officer, 2014 (9) Scale 446**, wherein the Supreme Court has condoned the delay of 1110 days by not allowing the interest on the enhanced compensation for the delayed period.

The 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 above, the application deserves to be allowed and stands allowed, subject to the condition that the applicant shall not be entitled to claim the 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.

First Appal Stamp No.4731/2021

Heard.

Issue notice to the respondents, returnable after four weeks.

Learned A.G.P. waives service of notice for the respondent nos. 1 to 3.

(Anil L. Pansare, J.)