



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

CIVIL APPLICATION (CAF) NO. 962 OF 2023
IN
FIRST APPEAL (ST.) NO. 5437 OF 2023

Aniruddha S/o Govindrao Awagan (Dead) through his legal heirs
..VS..

The State of Maharashtra through the Collector, Yavatmal and others

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

Court's or Judge's orders

Mr. Gunjan Kothari, Advocate for applicants/appellants.
Mr. M.A. Kadu, AGP for respondent Nos.1 and 2.

CORAM : SANJAY A. DESHMUKH, J.

DATED : 20th JUNE, 2024

This is an application for condonation of delay filed under Section 5 of the Limitation Act. Delay of 10139 days is caused for filing an appeal.

2. Heard learned Counsel for both sides.
3. Learned AGP for the respondent Nos.1 and 2 strongly opposed the said application.
4. Considering the reasons stated in the application, application deserves to be allowed conditionally.
5. The application is **allowed**. Delay of 10139 days is caused for filing the appeal is condoned. However, in view of the Judgment in *New Okhla Industrial Development Authority Vs. Rameshwar @ Ramesh Chandra Sharma*, reported in *2022(16) Scale 653*, the

applicants/ appellants is not entitled for interest for the period of delay.

6. The Application is **disposed of**.

(SANJAY A. DESHMUKH, J.)

Kirtak