



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

CIVIL APPLICATION NO. 986 OF 2024

IN

FIRST APPEAL ST. NO. 5576 OF 2024

Varsha Mukundrao Gawande

.VS.

The 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. A.B. Nakshane, Advocate for appellant.

Mr. Ganesh Umale, AGP for respondent Nos.1 and 2.

Ms. Mallika Babhulkar, Advocate h/f Mr. M.A. Kadu, Advocate for respondent No.3.

CORAM : G.A. SANAP, J.

DATE : 26.03.2024.

Heard.

2. This is an application for condonation of 2176 days delay caused in filing appeal against impugned judgment and award, dated 13/01/2016 passed by the Civil Judge (Sr. Dn.) Yavatmal in LAC No.648/2007. The reasons have been stated in the application. In view of the reasons, the application is **allowed**.

3. Delay of 2176 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.
7. The appeal be registered.
8. The civil application stands **disposed of**, accordingly.

FIRST APPEAL ST. NO.5576 OF 2024

9. Heard.
10. Issue notice to the respondents.
11. Learned AGP waives service of notice on behalf respondent Nos.1 and 2/State.
12. Ms Mallika Babhulkar, learned holding Advocate waives service of notice on behalf of respondent No.3.

13. Learned Advocate for the appellant submits that this is a covered matter.
14. Stand over after two weeks.

(G. A. SANAP, J.)

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