



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

CIVIL APPLICATION (CAF) NO. 1291 OF 2024
IN

FIRST APPEAL (ST) NO. 18427 OF 2023

Shri Santosh S/o. Pandurang Ingle and other

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.

Smt S. K. Paunikar, Advocate for the appellants

Mr M. A. Kadu, Advocate for respondent No.3

Ms Prachi Joshi, AGP for respondent Nos.1 and 2/State

CORAM : G.A. SANAP, J.

DATE : MAY 8, 2024.

Heard.

2. This is an application for bringing on record the legal heirs of appellant No. 7, who died after filing of the appeal on 11.01.2024. The particulars of legal heirs have been stated in para No. 2 of the application.

3. In view of this, the application is allowed.

4. The legal heirs namely respondent Nos. 7(a) to 7(c) are allowed to be brought on record.

5. The amendment be carried out within two weeks.

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

accordingly.

CIVIL APPLICATION NO.394 OF 2024

7. Heard.

8. Issue notice to the respondents.

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

10. Learned Advocate Mr. M. A. Kadu waives service of notice on behalf of respondent No.3.

11. This is an application for condonation of 3065 days delay caused in filing appeal against impugned judgment and award. The reasons have been stated in the application.

12. Learned Advocate for the respondent No.3 and learned AGP submits that the Court may pass an appropriate order.

13. In view of the above, the application is allowed. Delay of 3065 days caused in filing appeal stands condoned.

14. 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.

15. The appeal be registered.

16. The application stands **disposed of**, accordingly.

FIRST APPEAL (ST.) NO. 18427 OF 2023

17. Heard.

18. ADMIT.

19. Learned AGP waives service of notice on behalf of respondent Nos. 1 and 2/State.

20. Learned Advocate Mr. M. A. Kadu waives service of notice on behalf of respondent No.3.

21. Call for record and proceedings.

22. Paper book be filed within 12 weeks from the date of receipt of record and proceedings.

(G. A. SANAP, J.)

Namrata