



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

CIVIL APPLICATION (CAF) NO. 1246 OF 2023
IN
FIRST APPEAL (ST.) NO. 8188 OF 2023

Subhash S/o Baburao Dhoke and another
..VS..

Union of India through General Manager, Central Railway, CST, Mumbai

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

Court's or Judge's orders

Mr. S. P Behar, Advocate for applicants/appellants.
Mr. C.J. Dhumane, Advocate for respondent.

CORAM : SANJAY A. DESHMUKH, J.

DATED : 16th JULY, 2024

1. This is an application for condonation of delay of 2357 days caused for filing first appeal.
2. Perused the application.
3. Heard learned Advocates for both sides.
4. Learned Advocate for the respondent strongly opposed the application.
5. Considering the reasons stated in the application, the application is allowed. Delay of 2357 days caused for filing first appeal is condoned. However, it is clarified that if the appeal is allowed, the appellants will not be entitled the interest of delayed period as per the judgment passed in *New Okhla Industrial Development Authority Vs. Rameshwar @ Ramesh Chandra Sharma*, reported in *2022(16) Scale 653*.
6. The application is **disposed of**.

FIRST APPEAL (ST.) NO. 8188 OF 2023

1. Heard.
2. **Admit.**
3. Mr. C. J. Dhumane, learned Advocate waives service of notice on behalf of respondent.
4. Call for record and proceedings.
5. Stand over after **four weeks**.

(SANJAY A. DESHMUKH, J.)

Kirtak