



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

CIVIL APPLICATION (CAO) NO.711 OF 2024 IN
MCA ST. NO.11494 OF 2024 IN
FIRST APPEAL NO.1070 OF 2019 (D)

Ramesh S/o Gowardhan Rathod .Vs. The State of Mah., through the Collector, Tah.
& Dist. Yavatmal and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S.V. Ingole, Advocate for appellant.

Shri M.A. Kadu, A.G.P. for respondent Nos.1 and 2/State.

CORAM : SANJAY A. DESHMUKH, J.
DATED : 28/06/2024

1. This is an application for condonation of delay caused in filing the restoration of first appeal No.1070 of 2019.

2. It is made clear that in view of the decision in the case of *New Okhla Industrial Development Authority v. 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 payment under the Land Acquisition Act on the enhanced amount of compensation for the delayed period, in case the appeal is allowed.

3. For the reasons stated in the application, the application is **allowed** in the interest of justice.

4. The civil application stands **disposed of**, accordingly.

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5. This is an application filed for restoration of the appeal.

6. Heard both the sides.

7. For the reason stated in the application, the application is **allowed** in the interest of justice.

8. The appeal is restored on its original file.

9. Civil application is **disposed of** accordingly.

(SANJAY A. DESHMUKH, J.)