



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

CIVIL APPLICATION [CAO] NO.69 OF 2024
IN
MISC. CIVIL APPLICATION ST. NO.12964 OF 2023
IN
FIRST APPEAL ST. NO.14647 OF 2009

[Natthuji s/o Ramaji Thakare .vs. State of Maharashtra 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. Shriram Chopde, Adv. h/f Mr. R.D. Dharmadhikari, Adv. for Applicant.
Ms. H.S. Dhande, AGP for Respondent Nos.1 and 3.

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CORAM : SANJAY A. DESHMUKH, J.
DATE : 2nd DECEMBER, 2024.

1. This is an application for condonation of delay of 3048 days caused for filing the restoration application.
2. Perused the application.
3. Heard the learned advocates for both the sides.
4. Considering the reasons stated in the application, it appears that the delay is not deliberately caused.
5. Hon'ble Supreme Court in the case of *Ningappa Thotappa Angadi .vs. The Special Land Acquisition Officer, reported in 2020 (19) SCC 599*, held that if the claimant is praying for enhancement of compensation amount by filing appeal, it shall be condoned liberally. The application therefore deserves to be allowed in the interest of justice as the delay is not deliberately caused.
6. Learned advocate for applicant-appellant submits that he will remove the office objection within a period of three weeks.

7. Considering the submissions of learned advocate for the appellant that he will remove the office objection within a period of three weeks, the application deserves to be allowed in the interest of justice.

8. The application is allowed, subject to condition that applicant shall remove the office objection on or before 20.12.2024. If office objections are not removed within the time stipulated, the application shall be deemed to be rejected without further order of the court.

9. The application is allowed and disposed of accordingly.

Misc. Civil Application St. No.12964/2023

1. This is an application for restoration of first appeal dismissed for non-removal of office objection.

2. Learned advocate for the applicant submits that he will remove the office objections within a period of three weeks.

3. Considering the reasons stated in the application, the application deserves to be allowed. The application is allowed and disposed, subject to condition that applicant shall remove office objections on or before 20.12.2024. If the office objections are not removed on or before 20.12.2024, this application shall be deemed to be rejected without further order of the court.

4. The application is allowed and disposed.

(SANJAY A. DESHMUKH, J.)