



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

CIVIL APPLICATION (CAF) NO.2687 OF 2021 IN
FIRST APPEAL ST. NO.12632 OF 2020

Bhimrao Baliram Ingale .Vs. The State of Mah. 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 V.N. Patre, Advocate for appellant.

Ms Deepa I. Charlewar, A.G.P. for respondents/State.

Shri Zaheer, Advocate for respondent No.4.

CORAM : SANJAY A. DESHMUKH, J.

DATED : 14/08/2024

1. Issue notice to the respondents.
2. Ms Deepa I. Charlewar, learned A.G.P. waives service of notice for the respondents/State.
3. Shri Zaheer, learned Advocate waives service of notice for the respondent No.4.
4. This is an application for condonation of delay of 703 days caused for filing first appeal.
5. Heard learned advocates for both sides.
6. Perused the application.
7. The learned advocates for the respondents strongly objected to condone the delay.
8. For the reasons stated in the application, particularly that the appellant is poor and having no knowledge about the law and other, the application deserves to be allowed in the interest of justice.

9. 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.

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

(SANJAY A. DESHMUKH, J.)