



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

CIVIL APPLICATION (CAF) NO.2388 OF 2024 IN
FIRST APPEAL NO.884 OF 2024

Shri Dhanraj Vachu Chauhan .Vs. State of Mah., through Collector, Yavatmal & Ors.

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

Court's or Judge's Order

Shri I.M. Ghngade, Advocate for appellant.

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

Shri T.M. Zaheer, Advocate for respondent No.3.

CORAM : SANJAY A. DESHMUKH, J.

DATED : 29/08/2024

1. Issue notice to the respondents, returnable after **two weeks**.
2. Shri Pendke, learned A.G.P. waives service of notice for the respondent Nos.1 and 2/State.
3. Shri Zaheer, learned advocate waives service of notice for the respondent No.3.
4. This is an application for condonation of delay of 2650 days.
5. Heard learned advocates for both sides.
6. Perused the application.
7. For the reasons stated in the application, delay is not intentionally caused therefore, the application deserves to be allowed.
8. 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.

9. The application is **allowed** and **disposed of**.

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10. Issue notice to the respondents, returnable after **two weeks**.

11. Shri Pendke, learned A.G.P. waives service of notice for the respondent Nos.1 and 2/State.

12. Shri Zaheer, learned advocate waives service of notice for the respondent No.3.

(SANJAY A. DESHMUKH, J.)