



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

CIVIL APPLICATION (CAO) NO.1354 OF 2024 IN
M.C.A. ST. NO.21317 OF 2024 IN
FIRST APPEAL ST. NO.1097 OF 2023

Prakash S/o Amrutrao Zade and others .Vs. Union of India

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

Court's or Judge's Order

Ms Archana Murrey, Adv. h/f Shri S.B. Dhande, Adv. for appellants.
Ms Neerja Chaubey, Adv. for respondent.

CORAM : SANJAY A. DESHMUKH, J.
DATED : 25/10/2024

1. This is an application for condonation of delay of 450 days caused for filing restoration of first appeal.
2. Heard learned advocates for both sides.
3. Perused the application.
4. The learned advocate for the appellants submits that delay is not deliberately caused.
5. 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. The application is allowed.
6. Application is **disposed**.

MCA ST. NO.21317 OF 2024

1. This is an application for restoration of first appeal which was dismissed for default.
2. Heard learned advocates for both sides.
3. Perused the application.
4. Considering grounds stated in the application, the application deserves to be allowed in the interest of justice. The application is **allowed** and **disposed**.

FIRST APPEAL ST. NO.1097 OF 2023

1. Issue notice to the respondent.
2. Ms Neerja Chaubey, learned advocate waives service of notice for the respondent.
3. Call record and proceedings.
4. Filing of paper book is dispensed with.
5. Appellants shall supply copy of necessary documents to the other side.

(SANJAY A. DESHMUKH, J.)