



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

CIVIL APPLICATION (CAF) NO.3627 OF 2023 IN
FIRST APPEAL ST. NO.22064 OF 2023

Swapnil Pralhad Machale .Vs. Executive Engineer, Laghu Pathbandhare Vibhag No.2,
Washim 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 R.N. Ghuge, Advocate for appellant.

Shri K.R. Lule, Advocate for respondent No.1.

Shri P.P. Pendke, A.G.P. for respondent Nos.2 and 3/State.

CORAM : SANJAY A. DESHMUKH, J.

DATED : 09/07/2024

1. This is an application for condonation of delay of 215 days caused for filing first appeal.
2. Heard learned advocates for both side.
3. Perused the application.
4. For the reasons stated in the application, the application is **allowed** in the interest of justice.
5. Delay caused in filing first appeal is condoned.
6. 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.

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

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8. Heard.

9. **Admit.**

10. Call record and proceedings.

11. Shri Lule learned advocate waives notice for the respondent No.1 and Shri Pendke, learned advocate waives notice for the respondent Nos.2 and 3/State.

(SANJAY A. DESHMUKH, J.)