



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CIVIL APPLICATION (CAF) NO. 2951 OF 2024
IN
FIRST APPEAL ST. NO.11515 OF 2020

DATTATRAY S/O PATRU LOGDE
Vrs.
THE STATE OF MAHARASHTRA AND OTHERS

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

Court's or Judge's Order

Ms. Kalyani Wadibhasme, Advocate h/f Shri P. D. Sharma, Advocate
for applicant/appellant.
Ms. Hemlata Dhande, AGP for respondent Nos.1 and 2.

CORAM: SANJAY A. DESHMUKH, J.
DATE : 24/10/2024.

1. This is an application for condonation of delay of 536 days caused for filing appeal.
2. Perused the application.
3. Heard learned advocates for both sides.
4. Considering the reasons stated in the application and the law laid down 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 delay caused for filing the appeal deserves to be condoned, in the interest of justice. Delay is condoned. Delay is not deliberately caused.
5. For the reasons stated in the application, the application deserves to be allowed, in the interest of justice with condition that applicant is not entitled for the

statutory benefits like interest, etc. for the delayed period of 536 days in view of Judgment of Hon'ble Supreme Court 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)**.

6. The application is allowed and disposed of.

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7. Issue notice to the respondents.

8. Ms.Hemlata Dhande, learned AGP waives service of notice for respondent Nos.1 and 2.

9. Filing of paper book is dispensed with. Therefore, Record and Proceedings are not called. However, learned advocate for the appellant is directed to produce the copies of necessary documents on record and provide it to the learned advocates for the respondents.

10. Stand over after four weeks.

[SANJAY A. DESHMUKH, J.]