



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

**CIVIL APPLICATION (CAF) NO. 466 OF 2024
IN
FIRST APPEAL ST. NO. 2173 OF 2023**

RAMESH KISHAN AVADHUT (DEAD) THROUGH LRS AND OTHERS

Vrs.

SPECIAL LAND ACQUISITION OFFICER, BULDHANA (MEDIUM PROJECT) AND ANOTHER

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

Court's or Judge's Order

Shri P. R. Patel, Advocate h/f Shri R. P. Masurkar, Advocate for
applicants/appellants.
Shri P. P. Pendke, AGP for respondent No.1.
Shri P. B. Patil, Advocate for respondent No.2.

CORAM: SANJAY A. DESHMUKH, J.
DATE : 22/07/2024.

1. This is an application for condonation of delay of 4206 days caused for preferring the appeal.
2. Perused the application.
3. Heard learned Advocates for both sides.
4. Learned advocates for the respondents have strongly objected the application.
5. For the reasons stated in the application, the application deserves to be allowed, in the interest of justice with condition that the applicants are not entitled for the statutory benefits like interest, etc. for the delayed period 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 disposed of.
FIRST APPEAL ST. NO. 2173 OF 2023
7. Issue notice to the respondents.
8. Call for Record and Proceedings.
9. Shri P. P. Pendke, learned AGP waives service of notice for respondent No.1.
10. Shri P. B. Patil, learned counsel waives service of notice for respondent No.2.
11. Stand over after four weeks.

[SANJAY A. DESHMUKH, J.]

Choulwar