



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

CIVIL APPLICATION (CAF) No.562 OF 2024
IN
FIRST APPEAL ST. No.24466 OF 2023

(Dipak s/o. Bhimrao Kulsundar Vs. The Collector, Buldhana, Tah. And Distt. Buldhana and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. N.B. Kalwaghe, Advocate for appellant.
Mr. M.A. Kadu, AGP for respondent Nos.1 and 2.

CORAM : SANJAY A. DESHMUKH, J.
DATE : 26th JULY, 2024.

1. This is an application for condonation of delay of 427 days caused for filing the appeal.
2. Perused the application.
3. Heard learned Advocates for both sides.
4. Learned A.G.P. for the respondent Nos.1 and 2 have strongly objected the application.
5. For the reasons stated in the application, the application deserves to be allowed.
6. The application is allowed in the interest of justice.
7. The delay of 427 days caused for filing the appeal is condoned with condition that applicant is 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).

8. The application is disposed of.

FIRST APPEAL ST. No.24466 OF 2023.

1. Issue notice to the respondents.
2. Call for Record and Proceedings.
3. Shri M.A. Kadu, learned A.G.P. waives service of notice on behalf of respondent Nos.1 and 2.
4. Stand over after four weeks.

(SANJAY A. DESHMUKH, J.)