



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

CIVIL APPLICATION (CAF) NO. 965 OF 2024

IN

FIRST APPEAL ST. NO. 17488 OF 2023

TULSHIRAM S/O SAKHARAM DEHANKAR (DIED) THROUGH LRS AND OTHERS

Vrs.

THE STATE OF MAHARASHTRA 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 S. V. Ingole, Advocate for applicants/appellants.
Shri M.A.Kadu, AGP for respondent Nos.1 and 2.

CORAM: SANJAY A. DESHMUKH, J.

DATE : 22/07/2024.

1. This is an application for condonation of delay of 6174 days caused for filing the appeal.
2. Perused the application.
3. Heard learned Advocates for both sides.
4. Learned counsel for the respondents has strongly objected the application.
5. For the reasons stated in the application, the application deserves to be allowed, in the interest of justice.
6. It is clarified that the applicants are not entitled for 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).

7. The application is allowed and disposed of.
FIRST APPEAL ST. NO. 17488 OF 2023
8. Issue notice to the respondents.
9. Call for Record and Proceedings.
10. Shri M. A. Kadu, learned AGP waives service of notice for respondent Nos.1 and 2.
11. Stand over after four weeks.

[SANJAY A. DESHMUKH, J.]

Choulwar