



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

**CIVIL APPLICATION (CAF) NO. 1141 OF 2024
IN
FIRST APPEAL ST. NO. 16523 OF 2023**

VASANT SAMBHASHIV SHASTRAKAR (DEAD) THROUGH LRS AND OTHERS
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

Shri K. S. Narwade, Advocate for applicants/appellants.
Shri M.A.Kadu, AGP for respondent Nos.1 to 3.

CORAM: SANJAY A. DESHMUKH, J.
DATE : 05/08/2024.

1. This is an application for condonation of delay of 5667 days caused for preferring appeal against the Judgment of the Reference Court.
2. Perused the application.
3. Heard learned Advocates for both sides.
4. The reasons stated in the application are that the original claimants were not known about the procedure. Therefore, delay was caused.
5. Learned AGP has strong objection to allow the application.
6. On perusal of the reasons stated in the application, application deserves to be allowed in the interest of justice, as prayed.
7. For the reasons stated in the application, the application deserves to be allowed, in the interest of

justice with condition that 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)**.

8. The application is disposed of.

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9. Issue notice to the respondents.

10. Shri M. A. Kadu, learned AGP waives service of notice for respondent Nos.1 to 3.

[SANJAY A. DESHMUKH, J.]

Choulwar