



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

CIVIL APPLICATION (CAF) NO. 1297 OF 2024
IN
FIRST APPEAL ST. NO. 22910 OF 2023

SUBHASHCHANDRA S/O CHUNNILAL TAPADIYA AND OTHERS

Vrs.
THE COLLECTOR, WARDHA 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 Ranjeet Singh V. Gahilot, 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 995 days caused for preferring 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. Considering the reasons stated in the application, the application deserves to be allowed, in the interest of justice.
6. The application is allowed with condition that the applicants are not entitled for statutory benefits like interest, etc. 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) for the delayed period.

7. The application is disposed of.

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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. First Appeal No.112/2021 be tagged with this appeal.

12. Stand over after four weeks.

[SANJAY A. DESHMUKH, J.]

Choulwar