



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

CIVIL APPLICATION (CAF) NO. 1733 OF 2024

IN

FIRST APPEAL ST. NO. 20022 OF 2023

SHRI GOVINDA S/O DATTARAM KALE

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 S. V. Ingole, Advocate for applicant/appellant.
Shri P. P. Pendke, AGP for respondent Nos.1 and 2.
Shri M. A. Kadu, Advocate for respondent No.3.

CORAM: SANJAY A. DESHMUKH, J.

DATE : 11/07/2024.

1. This is an application for condonation of delay of 2340 days caused for filing the first appeal.
2. Perused the application.
3. Heard learned Advocates for both parties.
4. Learned advocates for the respondents have strongly objected the application.
5. Considering the grounds stated in the application, application is allowed, in the interest of justice.
6. It is clarified that the applicant shall not be entitled for the interest of delayed period caused for filing the appeal in view of Judgment 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 disposed of.
FIRST APPEAL ST. NO. 20022 OF 2023
8. Heard.
9. **Admit.**
10. Shri P. P. Pendke, learned AGP waives service of notice for respondent Nos.1 and 2.
11. Shri M.A.Kadu, learned counsel waives service of notice for respondent No.3.
12. Stand over after two weeks.

[SANJAY A. DESHMUKH, J.]

Choulwar