



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

CIVIL APPLICATION (CAF) No.739 OF 2024
IN
FIRST APPEAL ST. No.2001 OF 2024

(Suryabhan Rambhau Kokate Vs. Executive Engineer, Minor Irrigation Project Washim and another)

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

Court's or Judge's orders.

Mr. Amol Darekar, Advocate for appellant.
Mr. M.A. Kadu, Advocate for respondent No.1.
Mr. P.P. Pendke, AGP for respondent No.2.

CORAM : SANJAY A. DESHMUKH, J.
DATE : 9th AUGUST, 2024.

1. This is an application for condonation of delay of 2270 days in filing the appeal.
2. Perused the application.
3. Heard learned Advocates for both sides.
4. Learned Advocate for the respondent No.1 and learned AGP for respondent No.2 strongly objected the application.
5. Considering the grounds stated in the application, the application deserves to be allowed in the interest of justice.
6. The application is allowed.
7. The delay of 2270 days caused in filing the appeal is condoned in the interest of justice.
8. The application is disposed of.
9. However, it is clarified that the applicants shall

not be entitled for interest and other statutory benefits for the period of 2270 days in view of the judgment of **New Okhla Industrial Development Authority Vs. Rameshwar @ Ramesh Chandra Sharma (Dead), through Legal Heir and another (2022) SCC Online SC 1599**, the original land owners/claimants/appellants herein shall not be entitled to get any statutory benefits, including the interest payment under the Land Acquisition Act on the enhanced amount of compensation for the delayed period, in case the appeal is allowed.

10. The application is disposed of.

FIRST APPEAL ST. No.2001 OF 2024.

1. Issue notice to the respondents.
2. Mr. M.A. Kadu, learned Advocate waives service of notice on behalf of respondent No.1.
3. Mr. P.P. Pendke, learned A.G.P. waives service of notice on behalf of respondent No.2.
4. **Admit.**
5. Call R. & P.
6. Stand over after four weeks.

(SANJAY A. DESHMUKH, J.)