



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

CIVIL APPLICATION (CAF) NO. 1295 OF 2023

IN

FIRST APPEAL ST. NO. 7771 OF 2020

BALKRISHNA RAMCHANDRA LAD (DEAD) THROUGH LRS. AND OTHERS

Vrs.

AREA GENERAL MANAGER, WESTERN COALFIELD LTD., WANI AREA 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 Sumit Gandhe, Advocate for appellants.
Shri G. E. Moharir, Advocate for respondent No.1.
Ms. Prachi Joshi, Advocate h/f Ms. Kirti Satpute, Advocate for
respondent No.3.

CORAM: SANJAY A. DESHMUKH, J.

DATE : 11/07/2024.

This is an application for condonation of delay of 500 days caused for filing the application for bringing the legal heirs of respondent No.3 on record.

Perused the application.

Heard learned advocates for both sides.

Learned counsel for the respondents have strongly objected the application.

Considering the delay caused, the application deserves to be allowed, in the interest of justice.

The excess compensation amount if awarded, the appellants would not be entitled for the interest for the delayed period, as per directions 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).

The application is disposed of.

CIVIL APPLICATION NO. 1296 OF 2023

This is an application for bringing legal heirs of respondent No.3 on record.

For the reasons stated in the application, application is allowed and disposed of.

CIVIL APPLICATION (CAF) NO.1725 OF 2024

This is an application for condonation of delay of 900 days caused for filing application for setting aside abatement of appeal against respondent No.3.

Perused the application.

For the reasons stated in the application, application is allowed and disposed of.

CIVIL APPLICATION (CAF) NO.1726 OF 2024

This is an application for setting aside abatement of appeal against respondent No.3.

Perused the application.

For the reasons stated in the application, application is allowed and disposed of.

Stand over the appeal after four weeks.

[SANJAY A. DESHMUKH, J.]