



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

CIVIL APPLICATION (CAF) No.1897 OF 2024
IN
FIRST APPEAL ST. No.13427 OF 2024

(Manohar Atmaram Rathod Vs. The State of Maharashtra, through Collector, Yavatmal and others)

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

Court's or Judge's orders.

Mr. Mohit Dube h/f. Mr. A.B. Nakshane, Advocate for appellant.

CORAM : SANJAY A. DESHMUKH, J.
DATE : 28th AUGUST, 2024.

1. This is an application for condonation of delay of 3779 days caused in filing appeal.
2. Issue notice to the respondents.
3. Ms. D.I. Charlewar, learned A.G.P. waives services of notice on behalf of respondent Nos.1 and 2.
4. Mr. M.A. Kadu, learned Advocate waives service of notice on behalf of respondent No.3.
5. Perused the application.
6. Heard learned Advocates of both sides.
7. For the reasons stated in the application, the application is allowed in the interest of justice.
8. The delay of 3779 days caused in filing first appeal is condoned as the delay is not deliberately caused.
9. In view of 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.13427 OF 2024

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(SANJAY A. DESHMUKH, J.)