



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

**CIVIL APPLICATION (CAF) NO. 1920 OF 2024
IN
FIRST APPEAL ST. NO.4844 OF 2024**

LATE RAMHARI NARAYAN DHAWALE THROUGH LRS AND OTHERS
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 Amol Darekar, Advocate for applicants/appellants.
Shri P. P. Pendke, AGP for respondent No.1 and 2.
Shri M.A.Kadu, Advocate for respondent No.3.

CORAM: SANJAY A. DESHMUKH, J.
DATE : 12/08/2024.

1. Issue notice to the respondents.
2. Perused the application.
3. Heard learned Advocates for both sides.
4. This is an application for condonation of delay of 2350 days caused for filing the appeal.
5. For the reasons stated in the application, the application deserves to be allowed, in the interest of justice.
6. Application is allowed and disposed of.
7. It is clarified that applicants are not entitled for the statutory benefits like interest, etc. for the delayed period 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)**.

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8. Issue notice to the respondents.
9. Shri P. P. Pendke, learned AGP waives service of notice for respondent Nos.1 and 2.
10. Shri M. A. Kadu, learned counsel waives service of notice for respondent No.3.
11. Call for Record and Proceedings.
12. Stand over after six weeks.

[SANJAY A. DESHMUKH, J.]

Choulwar