



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

CIVIL APPLICATION (CAF) No.2016 OF 2024
IN
FIRST APPEAL ST. No.13417 OF 2024

(Sandip Bapurao Chatule Vs. The State of Maharashtra, through the 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. A.B. Nakshane, Advocate for appellant.
Mr. P.P. Pendke, A.G.P. for respondent Nos. 1 and 2.
Mr. M.A. Kadu, Advocate for respondent No.3.

CORAM : SANJAY A. DESHMUKH, J.
DATE : 21st AUGUST, 2024.

1. This is an application for condonation of delay 2088 days in filing appeal.
2. Perused the application.
3. Heard learned Advocates of both sides.
4. The delay is caused due to poor financial position of the applicant. The delay is not deliberately caused.
5. Considering the reasons stated in the application, the application deserves to be allowed in the interest of justice.
6. The application is allowed.
7. The delay of 2088 days caused in filing appeal is condoned.
8. The application is disposed of.
9. It is clarified that if amount of compensation is

enhanced, the applicant shall not be entitled for the interest 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.13417 OF 2024.

1. Issue notice to the respondents.
2. Mr. P.P. Pendke, learned A.G.P. waives service of notice on behalf of respondent Nos. 1 and 2.
3. Mr. M.A. Kadu, learned Advocate waives service of notice on behalf of respondent No.3.
4. Stand over to 23.8.2024.

(SANJAY A. DESHMUKH, J.)