



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

**CIVIL APPLICATION (CAF) NO. 2627 OF 2024
IN
FIRST APPEAL ST. NO. 17965 OF 2024**

SMT. REGUSA BHAGUSA SAWKE (DEAD) THROUGH LR HIMMAT RAGUSA SAWLE
Vrs.
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 I. M. Ghongade, Advocate for applicant/appellant.
Ms. Mukta Kavimandan, AGP for respondent Nos.1 and 2.
Shri M. A. Kadu, Advocate for respondent No.3.

CORAM: SANJAY A. DESHMUKH, J.
DATE : 26/09/2024.

1. Issue notice to the respondents.
2. Ms. Mukta Kavimandan, learned AGP waives service of notice for respondent Nos.1 and 2.
3. Shri M. A. Kadu, learned advocate waives service of notice for respondent No.3.
4. This is an application for condonation of delay of 2073 days caused for filing appeal.
5. The delay is not deliberately caused. The application for condonation of delay of 2073 days is allowed. The delay is condoned.
6. Perused the application.
7. Heard learned Advocates for both sides.
8. Learned advocates for the respondents have strongly objected the application.

9. For the reasons stated in the application, the application deserves to be allowed, in the interest of justice with condition that applicant shall not be entitled for the statutory benefits like interest, etc. for the delayed period of 2073 days, 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)**.

10. The application is allowed and disposed of.

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11. Issue notice to the respondents.

12. Ms. Mukta Kavimandan, learned AGP waives service of notice for respondent Nos.1 and 2.

13. Shri M. A. Kadu, learned advocate waives service of notice for respondent No.3.

14. Stand over to 04/10/2024 with direction to the appellant to provide copy of appeal memo, etc. to the respondents.

[SANJAY A. DESHMUKH, J.]