



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

CIVIL APPLICATION (CAO) No.1021 OF 2024
IN
MISC. CIVIL APPLICATION ST. No.15519 OF 2024
IN
FIRST APPEAL ST. No.14408 OF 2017 (D)

(Devidas s/o. Dhondu Kawadkar Vs. W.C.L. through its Chief General Manager, Tah.
Rajura, Distt. Chandrapur)

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

Court's or Judge's orders.

Mr. Mohit Dubey h/f. Mr. A.B. Nakshane, Advocate for
appellants.

CORAM : SANJAY A. DESHMUKH, J.
DATE : 26th AUGUST, 2024.

1. This is an application for condonation of delay of 1772 days in filing restoration application.
2. Learned Advocate for the appellant pointed out that some office objections were not removed. Therefore, appeal was dismissed.
3. Considering the controversy in the matter and fact that applicant could not get necessary documents for removal of office objections, the application deserves to be allowed in the interest of justice as the delay is not deliberately caused,
4. The application is allowed.
5. The delay of 1772 days in filing restoration application is condoned.
6. 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.

7. The application is disposed of.

MISC. CIVIL APPLICATION ST. No.15519 OF 2024.

1. This is an application for restoration of the first appeal.

2. For the reasons stated in the application, the application deserves to be allowed.

3. The application is allowed.

4. The appeal is restored on its original stamp number, subject to the condition that appellant-applicant shall remove the office objection within a week.

5. If the office objections are not removed within a week, this application shall be deemed to be rejected without further order.

6. The application is disposed of.

(SANJAY A. DESHMUKH, J.)