



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

927 CIVIL APPLICATION NO. 7502 OF 2022
IN FAST/7680/2020

Prasad Rambhau Salve

VERSUS

The State of Maharashtra and others

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Advocate for Applicant : Mr. Jadhav Kailas B

AGP for Respondents: Mr. D.J. Patil

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CORAM : SANJAY A. DESHMUKH, J.

DATED : 23rd JANUARY 2025

PER COURT :-

1. This is an application for condonation of delay of 1431 days caused in filing the first appeal.

2. Perused the application and heard learned advocates for the parties. Learned A.G.P. strongly objected the application. However, considering the reasons stated in the application, it appears that the delay is not deliberate. Therefore, the application is allowed in terms of prayer clause "B". The delay is condoned. Abatement is set aside. Amendment be carried out within a week from today.

3. In view of law laid down by the Hon'ble Supreme court in the cases of *Imrat Lal and others vs. Land Acquisition Collector*

and others, (2014) 14 SCC 133 and New Okhla Industrial Development Authority vs. Rameshwar @ Ramesh Chandra Sharma (Dead) Through Legal Heir and Another; 2022 SCC Online SC 1599, delay of 1431 days caused in filing the first appeal is condoned on the condition that the applicant shall not claim interest for the delayed period on the amount, if any, enhanced by this court in the first appeal.

4. In first appeal, issue notice to the respondents. Learned A.G.P. waives notice for all respondents. Call for record and proceedings.

5. Stand over to 06.03.2025.

(SANJAY A. DESHMUKH, J.)

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