



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

CIVIL APPLICATION (F) NO.2768 OF 2023

IN

FIRST APPEAL (ST) NO.18204 OF 2023

[The Deputy Chief Engineer **..Vs..** Pramod Jagdish Prasad Tiwari and
Ors.]

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

Court's or Judge's order

Mr N. Lambat, Advocate for Applicant/Appellant.
Mr M. M. Agnihotri, Advocate for Non-Applicant/Respondent No.1.
Mr H. R. Dhumale, AGP for Non-applicants/State.

CORAM : **M. W. CHANDWANI, J.**

DATE : **5th MARCH, 2025.**

1. Heard.

2. This is an application for condonation of delay of 495 days in filing the appeal under Section 74 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as, "the Act of 2013").

3. Needless to mention that in the case of **Municipal Corporation of Grater Mumbai vs. Anusaya Sitaram Devrukhkar and Ors**, this Court has taken a view that the Court has no power to condone the delay beyond a total period of 120 days as stipulated in Section 74(1) of the Act of 2013 and Section 5 of the Limitation Act, 1963 has no application.

4. In view of the settled legal position, the application for condonation of delay is **dismissed**.

5. The claimant/respondent is permitted to withdraw the amount of compensation pending before this Court alongwith accrued interest thereon. Consequently, the first appeal is also dismissed with no order as to costs.

6. Request to stay this order is refused.

JUDGE

Tambe