



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

CIVIL APPLICATION (F) NO.3271 OF 2024
IN
FIRST APPEAL STAMP NO.20695 OF 2024

(Deorao Bhagwan Borchate (dead) thr. LR's Uttam Deorao Borchate and others Vs.
The State of Maharashtra, thr. the Collector, Yavatmal, Tah. & Dist. 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. I. M. Ghongade, Advocate for Appellants/Applicants.
Mr. M. A. Kadu, AGP for Respondent Nos.1 & 2/State.
Mr. T. M. Zaheer, Advocate for Respondent No.3.

CORAM: ROHIT W. JOSHI, J.
DATE: 4th FEBRUARY, 2025.

1. The applicants in the present matter are legal representatives of original claimant Deorao Bhagwan Borchate, who was claimant/petitioner in Land Acquisition Case No.1250/2004. The said land acquisition reference was partly allowed on 21.12.2012 thereafter the original claimant has expired on 08.02.2022. The present applicants who are son, daughter and widow and children of deceased Ambadas (son of Deorao) have moved the present application seeking leave to file appeal against the judgment and award dated 21.12.2012. Since they are legal heirs of the original claimant, leave is granted to file an appeal.

CIVIL APPLICATION (F) STAMP NO.20697 OF 2024:

1. This is an application for condonation of 3513

days delay in filing appeal against the judgment and award dated 21.12.2012 passed by the learned Civil Judge, Senior Division, Darwaha in Land Acquisition Case No.1250/2004.

2. For the reasons stated in the application, the delay is condoned subject to condition that the applicant will not be entitled to claim interest on the amount of enhanced compensation i.e. market value and statutory benefits from 21.12.2012 till today i.e. on 04.02.2025.

3. Civil application stands disposed of accordingly.

FIRST APPEAL STAMP NO.20695 OF 2024:

1. Office to register the appeal.

2. **Admit.**

3. Mr. M. A. Kadu, the learned Assistant Government Pleader waives service of notice on behalf of respondent nos.1 and 2.

4. Mr. T. M. Zaheer, the learned counsel waives service of notice on behalf of respondent no.3.

(ROHIT W. JOSHI, J.)