



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

CIVIL APPLICATION (CAF) NO. 557/2024

IN

FIRST APPEAL (ST) NO. 25380/2023

Gajendra s/o. Pralhadrao Mahalle

Vs.

The State of Maharashtra and Ors.

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

Court's or Judge's order

.....
Mr. Paras Rahi, Advocate h/f. Mr. A. P. Deshmukh, Advocate for Appellant.
Mr. I. J. Damle, A.G.P for Respondents/State.
Ms M. Babhulkar, Advocate for respondent Nos.3 and 4.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATED : 03.02.2025

. This is an application for condonation of delay
of 9813 days in filing appeal.

2. The respondents are served.

3. The learned Counsel for the appellant stated
that the appellant being illiterate person was not aware that
he can challenge the award for enhancement. In several
matters of the same project, he came to know about the
judgment passed in favour of the claimants, therefore, he
has approached the Counsel and as such there is a delay of
9813 days in filing appeal.

4. The respondents objected to condone the delay.

5. As per judgment of *New Okhla Industrial
Development Authority Vs. Rameshwar @ Ramesh Chandra
Sharma (Dead), through Legal Heir and Another [2022 SCC
Online SC 1599]*, the delay is condoned subject to condition
that the original land owner shall not be entitled to get any
statutory benefits, including the interest payable under the

Land Acquisition Act on the enhanced amount of compensation for the delayed period.

6. The application stands disposed of accordingly.
7. The appeal be registered.

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- . Heard.
2. **Admit.**
3. Mr. I. J. Damle, learned A.G.P. waives notice of hearing for respondents/State.
4. Ms M. Babhulkar, learned Counsel waives notice of hearing for respondent Nos.3 and 4.
5. Call for record and proceedings.

(MRS.VRUSHALI V. JOSHI, J.)