

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.134/2018
IN
CROSS OBJECTION (ST) NO.24563/2017
IN
FIRST APPEAL NO.822/2014

Gopinath Budhya Patil (Deceased) ... Applicant
V/s.
State of Maharashtra & Ors. ... Respondents

CIVIL APPLICATION NO.135/2018
IN
CROSS OBJECTION (ST) NO.24626/2017
IN
FIRST APPEAL NO.841/2014

Nathuram hadaku Patil (Deceased) ... Applicant
V/s.
State of Maharashtra & Ors. ... Respondents

Mr. S. S. Kulkarni for the Applicant
Mr. A. R. Patil, AGP for State.

**CORAM: K.K. TATED &
B. P. COLABAWALLA, JJ.**

DATED : JUNE 12, 2018

PC. :

1 Heard. Both these Civil Applications are made by the claimants for condonation of 680 days delay in filing the cross objections.

2 Considering the submissions made by the learned counsel for the Applicants and the reasons disclosed in the Civil Applications we are

satisfied that the Applicants have made out a case for allowing the Civil Applications. At the same time, they have to pay cost of Rs.2500/- in each Civil Application. Cost shall be paid to the Kirtikar Law Library, High Court, Bombay.

3 It is also made clear that the claimants will not be entitled for statutory benefits u/s.28 of the Land Acquisition Act, 1894 i.e. interest, in case they succeed in the cross-objection, for the delayed period.

4 Hence, following order is passed.

- a. Delay in filing the cross-objection is condoned.
- b. The claimants will not be entitled for statutory benefit u/s.28 of the Land Acquisition Act, 1894 i.e. interest, in case they succeed in the cross-objection, for the delayed period.
- c. The claimant shall pay cost of Rs.2500/- in each Civil Application. Cost shall be paid to the Kirtikar Law Library, High Court, Bombay, within six weeks from today, failing which the Civil Applications shall stand dismissed without further reference to the court.
- d. Both the Civil Applications stand disposed of accordingly.

(B. P. COLABAWALLA, J.)

(K.K. TATED, J.)