

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.20 OF 2017
IN
CROSS OBJECTION (ST) NO.22228 OF 2015
IN
FIRST APPEAL NO.1065 OF 2015

Shri. Raghunath Savalaram Thakur and Ors. .. Applicants

Versus

The State of Maharashtra and Anr. .. Respondents

Mr. S.S. Punde for applicants.

Mrs. Tanaya Goswami, AGP for State.

CORAM : K.K. TATED, J.

DATE : 11 MARCH 2019.

P.C:-

. Heard learned Counsel for parties.

2. By this civil application, applicant/original claimant is seeking permission to carry out amendment in Cross Objection Stamp No.22228 of 2015. He submits that at the time of filing this Cross Objection, there was financial difficulties on the part of applicant. Hence, he has claimed a compensation at the rate of Rs.250/- per Square Meter. He submits that actual claim was Rs.4150/-per Square Meter. He submits that actually before the

reference Court, was more than Rs.5000/- per Sq. Meters. He submits that in the interest of justice this Hon'ble Court be pleased to allow the applicants to carry out appropriate amendment in Cross Objection. He further submits that applicant is ready and willing to pay additional Court fees as required by law.

3. Considering the submissions made by learned Counsel for the applicant, averments made in civil application, I am satisfied that the applicant has made out case for allowing this civil application. Hence, following order :-

- a) Applicant is permitted to carry out amendment in Cross Objection Stamp No.22228 of 2015 claiming compensation at the rate of Rs.4150/- per square meters instead of @Rs.250/- per square meter.
- b) Amendment to be carried out on or before 12.04.2019, failing which civil application shall stand dismissed without reference to the Court.
- c) Applicant to pay Court fees on enhance claimed of compensation on or before 12.04.2019, failing which civil application shall stand dismissed without reference to the

Court.

d) If amendment is carried out within stipulated time, and Court fees on additional compensation is paid, applicant to serve the amended copy of Cross Objection on other side immediately thereafter.

e) Civil Application stands disposed of accordingly.

f) No order as to costs.

(K.K. TATED, J.)