

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 303 OF 2019
IN
CROSS OBJECTION (ST) NO. 18204 OF 2016
IN
FIRST APPEAL NO. 1560 OF 2013

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
	Mr. Shivshankar Patil for the Applicant. Ms. Tanaya Goswami, AGP for the State.

CORAM: K.K.TATED, J.
DATED : 10/10/2019

P.C.

- 1 Heard learned Counsel for the Applicant.
- 2 By this Civil Application, Applicant original Claimant is seeking condonation of 2 years and 241 days delay in filing cross objection.
- 3 By order dated 26.09.2016, this Court granted time to AGP to file their Affidavit-in-Reply, if any, with copy to other side.
- 4 Today the learned AGP submits that because of election duty, it remained

on part of concerned officer to give any instructions for filing reply. This itself shows that they are not interested in the present litigation.

5 Considering the submissions made by the learned Counsel for the Applicant, averments made in Civil Application and as Government Pleader failed to file Affidavit-in-Reply to oppose the present Civil Application, I am satisfied that Applicant has made out a case for allowing the Civil Application.

6 Hence, the following order is passed:

- a) Delay in filing cross objections are condoned.
- b) Civil Application stands disposed of accordingly.
- c) No order as to costs.

(K.K.TATED, J.)