

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.433 OF 2018
IN
CROSS OBJECTION (ST) NO.29410 OF 2016
IN
FIRST APPEAL NO.1265 OF 2014

Shri. Dinkar Kaluram Thakur (decd.) through LR's and Or. Versus Hon'ble District Collector, Raigad, Alibaug and Anr.	.. Applicants .. Respondents
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Mr. S.S. Punde for applicant.

CORAM: K.K. TATED, J.

DATED : MARCH 14, 2019.

P.C. :

1. Heard learned Counsel for applicants.
2. By this Civil Application applicant is seeking permission to carry out amendment in the cross objections claiming an additional compensation. The learned Counsel for the applicant submits that at the time of filing cross objections they claimed a sum of Rs.950/- psm. as an additional compensation. He submits that because of financial difficulties it remain on their part to claim the additional compensation. He submits that applicant is ready and willing to pay the additional court fees on the enhanced compensation.
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) Civil Application is allowed in terms of prayer clause (a) which reads thus :-

“(a) This Honourable High Court be pleased to permit the Applicants to amend and claim compensation at the rate of Rs.5000/- per square meter thus totally claiming further enhancement of Rs.4050/- in Cross Objections.”

b) Applicant to carry out amendment on or before 18.04.2019.

c) Applicant to pay additional Court fees on or before 30.04.2019, failing which Civil Application shall stand dismissed without reference to the Court.

d) If amendment is carried out within time, applicant is directed to serve the amended copy of cross objections on other side immediately thereafter.

e) Civil Application stands disposed of accordingly.

f) No order as to costs.

(K. K. TATED, J.)