

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

CIVIL APPLICATION (CAO) NO.2107 OF 2018
IN
CROSS OBJECTION ST. NO.23491 of 2018
IN
FIRST APPEAL NO.660 OF 2013

Vidarbha Irrigation Development Corporation, Thr. Its Executive Engineer, Bembla Project Dvn.
Yavatmal.

-vs-

Govinda Champatrao Vanjari and ors.

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

Court's or Judge's Orders.

Shri J. B. Kasat, Advocate for appellant.
Shri K. S. Narwade, Advocate for respondent No.1.
Ms M. S. Naik, AGP for respondent Nos.2 and 3.

CORAM : A.S.CHANDURKAR, J.
DATE : January 04, 2019

Civil Application No.2107 of 2018

Prayer is to condone the delay in filing the cross-objection. The reasons for the cause of delay are mentioned in paragraphs 2 and 3 of the application. An undertaking stating that the claimant is willing to forgo the amount of interest for the period of delay is also given. It is therefore prayed that the delay be condoned.

The application is opposed by the learned counsel for the appellant on the ground that the reasons given are not sufficient.

However, in the light of the fact the appeal has been admitted and the claimant is willing to give up the claim of interest on the amount of compensation if

enhanced, the delay in filing cross-objection stands condoned subject to the claimant not being entitled for interest on the amount of compensation if enhanced from 12/09/2013 to 09/10/2018.

Civil Application is allowed and disposed of in aforesaid terms.

Cross-objection St. No. 23491 of 2018

Heard.

Admit.

Shri J. B. Kasat, learned counsel waives notice on behalf of the original appellant. Ms M. A. Naik, learned Assistant Government Pleader waives notice on behalf of respondent Nos.2 and 3.

In the light of orders passed on Civil Application No.2107 of 2018 the claimant would not be entitled for interest for the period from 12/09/2013 which is after a period of thirty days of notice of hearing of the appeal to 09/10/2018 if the amount of compensation is enhanced.

JUDGE