IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CIVIL APPLICATION NO. 3090 of 2020

In F/CROSS OBJECTION NO. 18444 of 2020

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AMRUTBHAI MARGHABHAI PATEL

Versus

SPECIAL LAND ACQUISITION OFFICER

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Appearance:
MR VIBHUTI NANAVATI(513) for the Applicant(s) No. 1,1.1,1.2,1.3,1.4,1.5,1.6,1.7
ADVANCE COPY SERVED TO GOVERNMENT PLEADER/PP(99) for the Respondent(s) No. 1
MR.AKSHAT KHARE,(2226) for the Respondent(s) No. 2

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CORAM:**HONOURABLE MR. JUSTICE N.V.ANJARIA**
and
HONOURABLE MS. JUSTICE VAIBHAVI D. NANAVATI

Date : 23/12/2020

ORAL ORDER
(PER : HONOURABLE MR. JUSTICE N.V.ANJARIA)

Heard learned advocate Mr. Vibhuti Nanavati for the cross objectors and learned advocate Mr.Akshat Khare for respondent No.2.

2. The present application is filed to condone the delay of 1287 days in filing the Cross Objections. It was stated at the outset that in Civil Application No.2512 of 2020 in Cross Objection (Stamp) No.18453 of 2020, delay was condoned as per order dated 5.11.2020 passed by the Court. The said matter and the present Cross Objections are part of the group and are cognate.

3. It was further pointed out that the said order in Civil Application No.2512 of 2020, while condoning delay it is

provided by Court that the claimants would not be entitled for interest and other statutory benefits for the period of delay.

4. The learned advocate for the applicant makes a statement under instructions of the original claimants that the claimants would forgo the interest for delayed period and other statutory benefits for such period.

5. In the aforesaid view and considering the principles to be applied while condoning the delay, the delay deserves to be condoned. Delay of 1287 days caused in filing Cross Objection in First Appeal is condoned on condition that the applicants – cross objectors shall not be entitled to interest and other statutory benefits for the period of delay which is hereby condoned. The present application is allowed in the aforesaid terms.

(N.V.ANJARIA, J)

(VAIBHAVI D. NANAVATI,J)

Pallavi/ Manshi