

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY*****CIVIL APPELLATE JURISDICTION*****CIVIL APPLICATION NO. 287 OF 2019****IN****CROSS OBJECTION (ST) NO. 11554 OF 2019****IN****FIRST APPEAL NO. 1637 OF 2009****Laxman Nathu Mhatre & Ors.****..... Applicants****IN THE MATTER BETWEEN****The State of Maharashtra****..... Appellant****VERSUS****Laxman Nathu Mhatre & Ors.****..... Respondents****ALONGWITH****FIRST APPEAL NO. 1637 OF 2009****ALONGWITH****CROSS OBJECTION (ST) NO. 11554 OF 2019****IN****FIRST APPEAL NO. 1637 OF 2009****The State of Maharashtra****..... Appellant****VERSUS****Laxman Nathu Mhatre & Ors.****..... Respondents****Mr. Shriram S. Kulkarni for the Applicants.****Ms. Tanya Goswami, A.G.P. for the Appellant – State (Original Opponent).****CORAM : R.D. DHANUKA, J.****DATE : 3<sup>rd</sup> JANUARY, 2020****P.C.**

No affidavit in reply is filed by the respondents though served well in advance. Delay is occurred in filing cross objection. Though delay is substantial, the same is explained in the civil application. Civil application is made absolute in terms of prayer clause (a) on the

condition that the applicant to pay a cost of Rs.5,000/- to the original appellant within four weeks from today. Place this matter on board for hearing and final disposal on 24<sup>th</sup> January,2020.

2. The private paper-book is already filed.
3. If any additional private paper-book is required to be filed, the applicants would be at liberty to apply for copies of the documents/pleadings forming part of the record and proceedings. If any such application is filed, office to provide such copies on payment of requisite charges expeditiously.
4. Place first appeal along with cross objections on board on 23<sup>rd</sup> January,2020.

**[R.D.DHANUKA, J.]**