

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO. 333 OF 2020

in

FIRST APPEAL NO. 1178 OF 2013 (D)

[Vidarbha Irrigation Development Corporation Vs. Sau. Kantabai Shivram Jadhao and anr.]

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri J. B. Kasat with Shri V. Dahat, Advocates for the appellant
Shri N. M. Kolhe, Advocate for respondent nos. 1 (i) to 1(v)
Shri H. R. Dhumale, AGP for respondent nos. 2 and 3

CORAM : M. G. GIRATKAR, J.

DATE : 17/01/2020

Heard.

This is an application for speaking to minutes for excluding interest of delayed period of 1352 days.

Learned Advocate Shri Kasat has submitted that appeal is finally decided by this Court on 10.01.2020. Order dated 22.01.2018 was not pointed out while deciding the appeal. As per order dated 22.01.2018 in Civil Application (CAO) No. 51/2018, delay of 1352 days in filing cross-objection was condoned subject to waiver of interest of delayed period of 1352 days.

Shri Kolhe, learned Advocate for respondent nos. 1 (i) to 1(v) has submitted that order dated 22.01.2018 in Civil Application (CAO) No. 51/2018 was not pointed out, therefore, judgment be corrected and interest as per order dated 22.01.2018 of 1352 days shall not be paid to

respondent nos. 1 (i) to 1(v).

Appeal is dismissed. Cross-objection was to be partly allowed.

Hence, judgment in First Appeal No. 1178/2013 is corrected, after paragraph no. 4 (i), paragraph no. 4(ia) be added as “Cross objection (XOB) No. 04/2018 is partly allowed”.

After paragraph no. 4 (ii), “Respondent nos. 1 (i) to 1(v), legal heirs of deceased respondent are not entitled for interest of delayed period of 1352 days”, be added.

Accordingly, the application is **allowed** and disposed of.

JUDGE

SMGate