

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

929 CIVIL APPLICATION NO.9564 OF 2021
IN X-OBJST/21899/2019 WITH CA/7435/2013 IN FA/4202/201

SADASHIV LINGRAM HARIDAS
VERSUS
THE EX. ENGINEER, LATUR MEDIUM PROJECT DIV. LATUR ANDANR

Mr N.D. Kendre, Advocate for applicant
Mr P.M. Kulkarni, A.G.P. for respondent no.2

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 24th February, 2022

PER COURT :

1. It is an application for condonation of delay in filling Cross Objection.
2. Heard Mr Kendre, learned Advocate for applicant and Mr P.M. Kulkarni, learned A.G.P. for respondent no.2/State. Respondent no.1/acquiring body though duly served with notice, remained absent when the matter is called out.
3. Mr Kendre submits that the claimant could not manage for the funds for filing the Cross Objection which resulted in delay. There is no intentional delay on the part of applicant.
4. Mr P.M. Kulkarni learned A.G.P. opposed to condone the delay. He submits that no cogent reasons are assigned by the claimant for condonation of delay.
5. It is an admitted fact that acquiring body has filed First Appeal No.4202 of 2016. As such, it would be just and proper to condone the delay in filing the Cross Objection since it is arising out of same dispute.
6. For the reasons stated in the application in paragraph Nos. 3 to 6, the delay needs to be condoned.

ORDER

- (i) The Civil Application is hereby allowed in terms of prayer clause (B).
- (ii) The Registry is directed to make scrutiny of the Cross Objection as per procedure and thereafter it be numbered and placed before the Court for admission along with First Appeal No.4202 of 2016.

(SHRIKANT D. KULKARNI, J.)

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