

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

CIVIL APPLICATION (CAF) NO. 237/2022 IN
CROSS OBJECTION STAMP NO. 4513/2022 IN
FIRST APPEAL NO. 281/2014

Punjabrao Shrawan Kadwe (Dead) through its L.Rs. Smt Anusaya Wd/o Punjabrao
Kadwe and others

Vs.

Executive Engineer, (V.I.D.C.) Medium Project Division, Nagpur and others

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

Court's or Judge's orders

Shri. Vinay Dahat, Advocate h/f Shri J.B. Kasat for appellants
Shri S.D. Chopde, Advocate for respondent No.1
Shri S.A. Ashirgade, A.G.P for respondent Nos. 2 to 4

CORAM : SMT. M.S. JAWALKAR, J.

DATE : 29/07/2022

Present application is filed by cross objector for condonation of delay in filing cross objections. There is a delay of 2009 days. However, considering the fact that the appeal is admitted and also for the reasons stated in paragraph No.2 of the application, request is made to condone the delay.

2. Learned Counsel for the appellant vehemently opposed the application on the ground that financial difficulty is no more the ground as cross-objector received amount of near about Rs.40,00,000/-.

3. The First Appeal is already admitted. I am inclined to admit the cross-objection also by condoning the delay. However, the cross-objector will not be entitled for any interest for enhanced amount for delayed period.

4. Accordingly, application is allowed.

5. Delay in filing cross objection is hereby condoned, subject to condition that cross-objector will not be entitled for any interest for delayed period, if enhanced amount of compensation is granted.

6. The application is disposed of.

7. Cross objection Stamp No. 4513/2022 is admitted.

FIRST APPEAL NO. 281/2014

At the request of parties, matter be listed for final hearing on 17/08/2022.

(SMT. M.S. JAWALKAR, J.)

Jayashree..