

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

Civil Application (O) No.311/2022 in First Appeal No.1146/2012

MIDC, Amravati V Shamrao Beldar (Mundhe) and another

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

Court's or Judge's Orders

Mr. M.M. Agnihotri, Advocate for appellant.

Mr. N.R. Tekade, Advocate for L.Rs. of resp. no.1.

Ms T.H. Udeshi, AGP for resp. no.2.

CORAM : ABHAY AHUJA, J.

DATE : 16-09-2022

Heard.

2. This is an application for condonation of delay of 1428 days in filing the Cross Objection to First Appeal No.1146/2012 filed by the Maharashtra Industrial Development Corporation, challenging the judgment and award dated 30-04-2012 passed by the Civil Judge, Senior Division, Akola in Land Acquisition Case No. 373/1997.

3. Mr. Tekade, learned Counsel for the Cross Objectors submits that the Cross Appeal/Cross Objection has been filed after the decision of this Court in First Appeal No.38/2010 dated 28-02-2020 and as such the delay deserves to be condoned.

4. The learned Counsel for the appellant/Corporation has no objection. He, however, submits that the delay may be condoned subject to waiver of interest attributable to the delayed period.

5. Having heard the learned Counsel for the parties and having perused the application, the delay of 1428 days in filing the Cross Objection is condoned subject to waiver of interest for the delayed period by the Cross Objector.
6. The Registry is directed to register the Cross Objection.
7. Civil Application stands disposed in above terms.

First Appeal No.1146/2012

The learned Counsel for the parties agree that the First Appeal as well as the Cross Objection are covered by the decision of this Court in First Appeal No.38/2010 and other connected matters dated 28-02-2020.

2. The Appeal and the Cross Objection stand disposed in terms of the decision in First Appeal No.38/2010 and other connected matters dated 28-02-2020.
3. Let the enhanced amount be deposited in this Court within a period of eight weeks.

(Abhay Ahuja, J.)