

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
CIVIL APPLICATION (CAO) NO. 581 OF 2022
IN
CROSS OBJECTION (XOB) (ST) NO. 13321 OF 2021
IN
FIRST APPEAL NO. 959 OF 2013

State of Maharashtra, Thru. Special Land Acquisition Officer, Nagpur and anr.
Vs.

Wasudeo s/o Natthu Mohitkar (dead) Thru. Lrs

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

Court's or Judge's Orders.

Ms. A.S. Athalye, Advocate for appellant.
Ms. Rajkumari Rai, Advocate for respondent No.1.

CORAM : ABHAY AHUJA, J.

DATE : 20.09.2022.

This is an application seeking
condonation of delay of 2093 days in filing the cross
objection in First Appeal No.959/2013.

2. Ms. Athalye, learned counsel for the cross
objector submits that the first appeal has been
admitted and this is a cross objection, which has
been filed by the legal heirs of respondent No.1.

3. The learned counsel for the appellant has
drawn attention of this Court to paragraphs 7 and 8
to explain the delay caused in filing the cross

objection. The learned counsel for the appellant/acquiring body submits that the delay may be condoned subject to waiver of interest on the delayed period.

4. Mr. Kadu, learned AGP subscribes to the arguments made on behalf of the acquiring body.

5. Having heard the learned counsel for the appellant and having perused the application, the delay of 2093 days in filing the cross objection in First Appeal No.959/2013 is condoned.

6. The cross objection be registered.

7. The civil application is accordingly disposed.

Cross Objection (XOB) (ST) No.13321/2021

This is the cross objection filed in First Appeal No. 959/2013. The learned counsel submits that the first appeal has been admitted on 26.02.2014 and, as such, this cross objection be also admitted.

2. Having heard the learned counsel for the appellant and having perused the appeal, the following order is passed :

ORDER

The cross objection is admitted.

2. Let the cross objection filed in the first appeal be finally heard on **21.10.2022 at 2:30 p.m.**

JUDGE