

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

CIVIL APPLICATION (CAO) NO. 513/2023 IN CROSS-OBJECTION ST.
NO. 20975/2022 IN FIRST APPEAL NO. 68/2020

Chandrakiran w/o Kishor Agrawal and another V/s State of Maharashtra and others

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

Court's or Judge's Order

Mr R.J. Shinde, advocate for the Cross-objectors/applicants.
Ms T.H. Udeshi, AGP for the respondent Nos. 1 and 2.
Ms A.S. Athalye, advocate for the respondent No.3.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 26/04/2023.

1. Heard.
2. The present application is for condonation of delay in filing the cross-objection.
3. As per the contention of the cross-objectors, they were not aware about the legal intricacies. Moreover, they have not received the compensation amount, they could not arrange the amount to pay the Court fee and therefore, the cross-objection was not filed in time. Hence, a delay of 347 days is caused in preferring the cross-objection.
4. The said application is strongly opposed by the learned AGP for respondent Nos. 1 and 2 as well as the learned advocate for respondent No.3, on the ground that the delay is not properly explained.

5. In view of the reasons mentioned in the application, considering the objection raised, the delay deserves to be condoned, subject to the waiver of the interest, if the cross-objector succeeds in the enhancement of the compensation.

Civil application is **disposed of**.

CROSS-OBJECTION ST.NO. 20975/2022

1. Heard.
2. **Admit.**
3. Cross-objection is taken on record.
4. Ms T.H. Udeshi, learned AGP waives service of notice on behalf of respondents No. 1 and 2.
5. Ms Ashwini Athalye, learned advocate waives service of notice on behalf of respondent No.3 in cross-objection.

JUDGE