



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

CIVIL APPLICATION (CAO) NO.273 OF 2024 IN
CROSS OBJECTION ST. NO.1052 OF 2024 IN
FIRST APPEAL ST. NO.756 OF 2017

Pundlik Bhujappa Zade .Vs. The State of Mah., through Collector, Yavatmal and others

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

Court's or Judge's Order

Shri V.V. Dahat, Adv. h/f Shri J.B. Kasat, Adv. for appellant.

Shri M.A. Kadu, A.G.P. for respondent/State.

Shri R.J. Shinde, Advocate for respondent No.1/cross-objector.

CORAM : SANJAY A. DESHMUKH, J.

DATED : 09/07/2024

1. This is an application for condonation of delay of 1639 days for filing the cross objection in the first appeal.
2. Heard learned advocates for both side.
3. Perused the application.
4. Considering peculiar facts of the case and the grounds raised in the application, the application deserves to be allowed in the interest of justice.
5. The delay caused in filing the cross objection in first appeal is condoned.
6. It is clarified that in case of cross objection, the cross objector will not be entitled in view of the decision in the case of *New Okhla Industrial Development Authority v.*

Rameshwar @ Ramesh Chandra Sharma (Dead), through Legal Heir and another (2022 SCC Online SC 1599), the original land owners/claimants/appellants herein shall not be entitled to get any statutory benefits, including the interest payment under the Land Acquisition Act on the enhanced amount of compensation for the delayed period.

7. Cross objection be registered.

8. Civil application is **disposed of** accordingly.

CROSS OBJECTION ST. NO.1052 OF 2024

9. Issue notice to the respondents, returnable on **19.08.2024**.

10. Shri R.J. Shinde, waives service of notice for the respondent No.1/Cross objector.

11. Shri Kadu, learned A.G.P. waives services of notice for the respondents/State.

(SANJAY A. DESHMUKH, J.)