



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

CIVIL APPLICATION (CAO) NO.289 OF 2024 IN
XOB ST. NO.1861 OF 2024 IN
FIRST APPEAL NO.547 OF 2021

Mo.Nayeem Mo.Yunus .Vs. VIDC, through EE, Washim and another

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

Court's or Judge's Order

Shri K.P. Mahalle, Advocate for appellant.

Ms Deepa I. Charlewar, A.G.P. for respondent/State.

Ms B.V. Reddy, Advocate for respondent No.1.

CORAM : SANJAY A. DESHMUKH, J.
DATED : 02/09/2024

1. This is an application for condonation of delay of 666 days caused for filing cross objection.
2. Heard learned advocates for both sides.
3. Perused the application.
4. The learned advocate for the appellant pointed out that, delay is not deliberately caused, sometime was required for want of some documents therefore, delay can be condoned in the interest of justice.
5. The learned advocate for the respondents strongly objected the application.
6. Considering reasons stated in the application, the application deserves to be allowed in the interest of justice. Application is allowed. Delay of 666 days caused for filing cross objection is condoned.

7. It is made clear that 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, in case the appeal is allowed.

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

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9. Cross objection is to be registered.

10. Registry is directed to register the cross objection accordingly.

11. List the First Appeal and Cross objection for final hearing on **19.09.2024** at 02.30 p.m.

(SANJAY A. DESHMUKH, J.)