



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

CIVIL APPLICATION (CAO) NO. 330 OF 2024

IN

CROSS OBJECTION ST. NO. 23150 OF 2023

IN

FIRST APPEAL NO. 259 OF 2022

Surajmal Dagdumal Kasat (Deceased) thr. his L.Rs. & Ors.

Vs.

The State of Maharashtra, thr. Collector, Amravati & Ors.

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Mr. Paras Rathi, Advocate h/f. Mr. R.J. Shinde, Advocate for the Cross objectors.
 Ms. S.N. Thakur, AGP for Respondent Nos.1 & 2.
 Mr. U.A. Gosavi, Advocate for Respondent No.3.

CORAM : G. A. SANAP, J.

DATED : 11th MARCH, 2024.

1. Heard learned advocates for the parties. Perused the record and proceedings.

2. This is an application made by the cross-objectors for condonation of 596 days delay caused in filing the cross-objection in the first appeal. The reasons have been stated in the application.

3. Learned AGP for respondent Nos.1 and 2, relying upon a decision in the case of *New Okhla Industrial Development Authority Vs. Rameshwar @ Ramesh Chandra Sharma (Dead), through Legal Heir and Another [2022 SCC Online SC 1599]*, submits that delay may be condoned, subject to condition that the original land owners/claimants/cross-objectors herein shall not be entitled to get statutory benefits, including the interest payable under the Land Acquisition Act,

1894 on the enhanced amount of compensation for the delayed period.

4. Learned advocate for the applicants/cross-objectors submits that the Court may pass an appropriate order.

5. In view of the above, the application is allowed. Delay of 596 days caused in filing the cross-objection, is condoned.

6. It is made clear that the original land owners/claimants/cross-objectors herein shall not be entitled to get any statutory benefits, including the interest payable under the Land Acquisition Act on the enhanced amount of compensation for the delayed period of 596 days, in case the cross-objection is allowed.

7. The cross-objection be registered.

8. The application stands disposed of, accordingly.

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9. Heard.

10. **ADMIT.**

11. Learned AGP waives service of notice on behalf of respondent Nos.1 and 2.

12. Learned advocate Mr. U.A. Gosavi waives service of notice on behalf of respondent No.3.

(G. A. SANAP, J.)

Vijay