



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

CIVIL APPLICATION (CAO) No.1073 OF 2024
IN
CROSS-OBJECTION ST. No.14326 OF 2024
IN
FIRST APPEAL No.355 OF 2023

(Sheikh Hasan Ahmed Gulam Dastagir Vs. VIDC through Executive Engineer, Minor Irrigation Division Karanja Lad, Distt. Washim and another)

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

Court's or Judge's orders.

Mr. B.V. Reddy, Advocate for cross-objector.
Mr. K.P. Mahalle, Advocate for respondent No.1
Mr. P.P. Pendke, AGP for respondent No.2.

CORAM : SANJAY A. DESHMUKH, J.
DATE : 13th SEPTEMBER, 2024.

1. This is an application for condonation of delay of 433 days caused in filing cross-objection.
2. Perused the application.
3. Heard learned Advocates of both sides.
4. Learned Advocate for the respondent No.1 strongly objected the application.
5. In view of the judgment of **New Okhla Industrial Development Authority Vs. 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.

6. In view of the ratio laid down in in the above judgment, the application deserves to be allowed in the interest of justice, as the delay is not deliberately caused.

7. The application is allowed.

8. The delay of 433 days caused in filing cross-objection is condoned.

9. The application is disposed of.

CROSS-OBJECTION ST. No.14326 OF 2024.

1. Cross objection be registered accordingly.

2. Stand over to 19.9.2024.

(SANJAY A. DESHMUKH, J.)