



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

CIVIL APPLICATION (CAO) NO. 941 OF 2025
IN
CROSS OBJECTION (ST) NO. 3158 OF 2025
IN
FIRST APPEAL NO. 584 OF 2018

Executive Engineer, Amravati Vs. Gunwantrao Deorao Adhau (dead) Thru. LRs

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mrs. Anjali A. Joshi, Advocate for applicant.
Ms. M.R. Kavimandan, AGP for non-applicant/State.
Mr. P.P. Sarise, Advocate h/f Mr. R.J. Shinde, Advocate for
non-applicant No.1(A) to (E).

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATE : 20.08.2025.

The respondent No.1(A) to (E)/cross objector i.e. legal heirs of respondent No.1 have filed this application for condonation of delay caused in filing the cross objection. Learned counsel for respondents has stated that due to illiteracy, the delay of 1594 days caused in filing the cross objection.

2. The applicants have stated that if the Covid-19 period is deducted from the said days, the delay is not matched. Considering the Covid-19

period prayed to condone the delay, he is ready to waive the interest for the delayed period.

3. Learned counsel for the appellant has objected to condone the delay as the reason is not sufficient and there is inordinate delay.

4. Heard both the learned counsel for the respective parties.

5. Considering the reason given in the application and as Covid-19 period for three years from 2019-2022 is deducted, the delayed period can be considered to condone and hence, the application is allowed.

6. The applicant is ready to waive the interest, if any.

7. The applicant is directed to file cross objection within a period of one week. The delay is condoned.

8. First appeal be listed in the month of September for final hearing.

(Mrs. Vrushali V. Joshi, J.)