

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

CIVIL APPLICATION NO. 901 OF 2025 IN
CROSS OBJECTION ST. NO.5509/2025 IN
FIRST APPEAL NO.425 OF 2019

Executive Engineer, Lower Wardha Project

..vs..

Narayan Samarth Dhage(dead) thr. LR's

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

Court's or Judge's orders

Shri J.B. Kasat, Advocate for the appellant in the appeal.
Shri C.R. Najbile, Advocate for respondent nos. 1a to 1g and
2/cross-objector/applicants.

CORAM: PRAVIN S. PATIL, J.
DATED : 08/09/2025.

By this application, the applicants are seeking condonation of delay of 1577 days in filing the Cross-objection in the present appeal.

2. It is seen from the record that the appeal is filed by the Acquiring Body bearing appeal no.425 of 2019 has been admitted by this Court on 26.10.2018.

3. As such, considering this fact, there is huge delay in filing the present application. However, the applicant in paragraph 6 has made a statement as under :

“6. The applicants are further relying upon the decision of the Hon’ble Supreme Court reported in 2014 (9) Scale 446 Imrat Lal and others vs. Land Acquisition Officer, in which the Hon’ble Apex Court has condoned of delay 1110 days by not allowing the interest on the enhance compensation for the delayed period. The applicants also willing to waive the interest for delayed period...”

4. In view of the above and the law laid down by the Hon'ble Supreme Court, it is made clear that the present applicants will not be entitled for any statutory benefits and interest of the delayed period i.e. from 26.10.2018 to 05.03.2025 under the Land Acquisition Act.

5. Therefore, with the aforesaid understanding, the application is allowed. Delay stands condoned. The application is allowed and disposed of.

6. Cross-objection is admitted.

7. List the matter as per its turn.

(PRAVIN S. PATIL, J.)

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