



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

928 CIVIL APPLICATION NO. 560 OF 2026
IN X-OBJST/1212/2026

Kantabai Venkat Raut

VERSUS

The State Of Maharashtra Through The Collector Osmanabad And
Ors.

...

Mr. Ingale Vivekanand V, Advocate for Applicant

Mr. V. V. Jahagirdar, AGP for Respondent/state

....

CORAM : SANJAY A. DESHMUKH, J.

DATE : 17.01.2026

PER COURT :-

1. Heard.
2. This is an application for condonation of delay of 4174 days caused in filing the Cross-Objection.
3. The learned AGP for respondent State strongly opposed the application and submitted that there is no sufficient reason to condone the delay.
4. Learned advocate for the applicant is relying upon the judgment of the Hon'ble Supreme Court passed in *Civil Appeal No.8331-8345 of 2022* in the case of *New Okhla Industrial Development Authority Vs. Rameshwar @ Ramesh Chandra*

Sharma (Dead) Through Legal heir & Anr. decided on 17.11.2022.

He prayed to allow the application.

5. This Court, in ***First Appeal No. 9 of 2013 and other connected appeals decided on 03.12.2025***, in the case of ***Digambar Hanumant Balwad Vs. The State of Maharashtra and others*** has held that the claimants are farmers belonging to the weaker sections of society except the exceptions and that the decision to file an appeal or a cross-objection depends upon the advice given to the claimants.

6. Perused the application. For the reasons stated in the application, it appears that the claimant was not properly advised to file the cross-objection within the period of limitation. In view of the Judgment in ***New Okhla*** (supra), it is held that the farmer is entitled to compensation at par with similarly situated landowners. Therefore, though there is a huge delay of 4174 days caused in filing the cross-objection, the application deserves to be allowed in the interest of justice as the delay is neither deliberate nor intentional. Hence, the following order:

::ORDER::

a. Civil Application is allowed.

- b. The delay of 4174 days caused in filing the Cross-Objection is hereby condoned.
- c. The application is disposed of.

IN X-OBJST/1212/2026

- 1. Issue notice to the respondents. Learned AGP waives service of notice for respondents-State.
- 2. First Appeal No.1591 of 2014 be tagged with the present Cross-Objection and be listed on 20.01.2026.

[SANJAY A. DESHMUKH, J.]

HRJadhav