



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

**CIVIL APPLICATION NO. 351 OF 2026**

**IN**

**CROSS-OBJECTION (ST) NO. 18133 OF 2025**

**IN**

**FIRST APPEAL NO. 948 OF 2022**

Vidarbha Irrigation Development Corporation, Amravati  
Vs.

Pradip Bhimrao Dhuldhare and others

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

Court's or Judge's Order

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Ms. Mallika Babhulkar h/f. Shri J. B. Kasat, Advocate for appellant.  
Shri Vikky Gokhale a/w. Shri R. J. Shinde, Advocate for respondent no. 1.  
Shri B. M. Lonare, AGP for respondent nos. 2 and 3/State.

**CORAM :- Y. G. KHOBRADE, J.**

**DATED :- 29.04.2026**

Heard Ms. Babhulkar, learned counsel appearing for the appellant/acquiring body, Shri Gokhale, learned counsel appearing for respondent no. 1/original claimant and learned AGP for respondent nos. 2 and 3/State.

2. By the present application filed under Section 5 of the Limitation Act, respondent no. 1/original claimant is seeking condonation of delay of 939 days caused while lodging the Cross-objection against the judgment and award dated 12.02.2015 passed in LAP No. 14/2008 by the Civil Judge Senior Division, Amravati.

3. Learned counsel appearing for the appellant/ acquiring body strongly opposed the application on the ground that as per the provisions of Order 41, Rule 22 of the Civil Procedure Code, respondent no. 1 was required to file the Cross-objection within a period of one month from the date of service of notice however, the present respondent no. 1 has not disclosed on which date he has served with the notice. So also, no proper explanation has been offered for the delay caused. Hence, prayed for rejection of the application.

4. Needless to mention that on 21.11.2022, this Court admitted the First Appeal against the judgment and award dated 12.02.2015 passed in LAP No. 14/2008 passed by the Civil Judge Senior Division, Amravati. However, due to paucity of fund and want of proper legal advice, respondent no. 1 could not file the said Cross-objection within the stipulated period hence, delay of 939 days caused while lodging the Cross-objection.

5. Considering the explanation offered by respondent no. 1, I am satisfied that the delay of 939 days caused while lodging the Cross-objection needs to be condoned. However, respondent no. 1 would not be entitled for interest for the delayed period i.e. from the date of passing the judgment and award dated 12.02.2015 in LAP No. 14/2008 till today i.e. 29.04.2026.

6. With the above observations, the application stands allowed.

7. The office to register the Cross-objection and place it before the Court along with First Appeal No. 948/2022.

(Y. G. KHOBRAGADE, J.)