

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 807 OF 2007
AND
CIVIL APPLICATION NO. 808 OF 2007
IN
FIRST APPEAL (ST) NO. 24428 OF 2003

The State of Maharashtra
(The Special Land Acquisition
Officer No.16, Pune)

.. Appellant

vs.

Mohan K. Date

.. Respondent

Mr. Y.Y. Dabke, Asst. Govt. Pleader for the Appellant-State

CORAM : M. S. SONAK, J.
DATE : 30 JANUARY 2017.

P.C. :-

1] The delay in instituting the first appeal is of 247 days. As usual, it is submitted that since the Government is an impersonal agency, the decisions have been taken at several levels and some delay is inevitable. On this ground the condonation is applied for.

2] The reasons are far from convincing. As a matter of routine, the condonation cannot be applied for by stating such reasons without any serious material to back the same. That apart, this first appeal relates to the year 2003. By the impugned award dated 16 July 2002 all that the reference court has done is awarded an amount of Rs.25,000/- to the respondent-landloser on the ground

that he was the tenant in respect of acquired land and was found in possession of the acquired land on the date of acquisition. After 14 years, to permit the State to reopen such an issue, without affording any satisfactory explanation for the delay would not be proper.

3] Accordingly, the civil application seeking condonation is dismissed and consequently, the appeal and the civil application for stay are also dismissed.

(M. S. SONAK, J.)

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