

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.1571 OF 2019
WITH
CIVIL APPLICATION NO.1572 OF 2019
IN
FIRST APPEAL (STAMP) NO.33437 OF 2018**

Pradeep Gajanan Patil ...Applicant

Versus

The State of Maharashtra through
the Special Land Acquisition Officer ...Respondent

.....

Mr. Sachin Punde for the Applicant.

Mr. Y.Y. Dabke, AGP for the Respondent -State.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED: 11th JUNE, 2019.**

P.C.:-

By this application the Applicant has sought to condone the delay of 4 years and 31 days in preferring the first appeal.

2. Heard the learned counsel for the Applicant and the learned AGP for the Respondent-State. Perused the records.

3. The Appellant has sought to challenge the judgment and award dated 2nd May, 2014 passed in Land Acquisition Reference No.42 of 2013 under Section 28(a) (3) of the Land Acquisition Act.

The reasons stated in paragraph Nos.3 and 4 of the application indicate that the Applicant was unable to file appeal within time due to financial constraints. It is also stated that the Applicant is an illiterate agriculturist and was not aware that appeal had to be filed within stipulated time of 90 days.

4. The above reasons in my considered view constitute sufficient grounds, hence the application is allowed. Delay is condoned.

5. The first appeal be registered. Mr. Y.Y. Dabke, the learned AGP waives service of notice on behalf of the Respondent -State. Stand over to **25/6/2019** for admission.

(SMT. ANUJA PRABHUDESSAI, J.)