

THE HONOURABLE SRI JUSTICE M.S. RAMACHANDRA RAO

and

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

Interlocutory Application No.3 of 2019

in

Land Acquisition Appeal Suit No.84 of 2019

and

Land Acquisition Appeal Suit No.84 of 2019

COMMON ORDER : (per Hon'ble M.S. Ramachandra Rao)

Heard the counsel for appellant, and the learned Government Pleader for Appeals for the respondent.

2. Interlocutory Application No.3 of 2019 in Land Acquisition Appeal Suit No.84 of 2019 is filed under Section 5 of the Limitation Act, 1963 to condone the delay of (1738) days in filing the present Appeal, challenging the order 22.04.2014 in Original Petition No.353 of 2013 on the file of the Senior civil Judge, at Wanaparthy.

3. The only ground mentioned in para no.5 of the affidavit filed in support of the application is that petitioner / appellant did not have funds.

4. In the very same paragraph, the petitioner has stated that he had received enhanced compensation which is more than Rs.1 lakh, according to the counsel for petitioner / appellant.

5. Therefore, the petitioner cannot state that he has no money to file the appeal within time, and that he is justified in filing the Appeal with a delay of more than five years from the date when the impugned order was passed.

6. We are therefore of the opinion that the petitioner has not shown sufficient cause to condone the said delay of (1738) days in filing the appeal.

7. Accordingly, Interlocutory Application No.3 of 2019 in Land Acquisition Appeal Suit No.84 of 2019 is dismissed.

8. Consequently, Land Acquisition Appeal Suit No.84 of 2019 is also dismissed. No order as to costs.

9. As a sequel, miscellaneous petitions pending if any in this Appeal, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

JUSTICE K. LAKSHMAN

Date: 03.12.2019

Ndr/*