

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

**CIVIL APPLICATION NO. 3801 OF 2001
IN
FIRST APPEAL (ST) NO. 43798 OF 1998**

**WITH
CIVIL APPLICATION NO. 3802 OF 2001
IN
FIRST APPEAL (ST) NO. 43798 OF 1998**

The State of Maharashtra

...Applicant

Versus

Rama Nivrutti Shinde

...Respondent

Ms. Pallavi Dabholkar, for the State.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 10th JUNE, 2022.**

PC:-

1. By this application, the Applicant has sought to condone the delay of 4 years and 342 days in challenging the Judgment and Award dated 30.8.1993 in Land Acquisition Case No. 70 of 1990, whereby the Reference Court has enhanced the compensation and directed the Applicant to pay compensation of Rs.53,958.65p with interest @ 12% p.a. from 30.7.1987.
2. The impugned judgment whereby the Reference Court had directed the Applicant to pay to the Respondent compensation of Rs.53,958/- was passed

on 30.08.1993. Application for certified copy was made on 29.11.1993. The copy was ready on 15.01.1994. The same was forwarded for opinion to the Law & Judiciary Department on 21.12.1996. The delay in forwarding the judgment for opinion to Law & Judiciary Department has not been explained. It is stated that the Law & Judiciary Department had passed resolution dated 27.01.1997 for filing the first appeal. No explanation has been given for delay in filing the appeal since the date of resolution.

2. Records reveal that the delay condonation application was filed in the year 2001. It is pending for last more than 20 years mainly due to the inaction of the Applicant. Learned Counsel for the Applicant states that the papers are not traceable and as such she is unable to state whether the Applicant has deposited the enhanced compensation as per the order.

3. In view of the aforesaid facts and circumstances, in my considered view, no sufficient cause is shown for condoning the delay in filing the appeal. Application stands dismissed.

4. Other Civil Applications stand disposed in view of dismissal of delay condonation application.

PRASANNA P
SALGAONKAR
Digitally
signed by
PRASANNA P
SALGAONKAR
Date:
2022.06.15
10:17:27
+0530

(SMT. ANUJA PRABHUDESSAI, J.)