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IN THE HIGH COURT OF BOMBAY AT GOA

**MISC. CIVIL APPLICATION NO. 894 OF 2018
IN
STAMP NUMBER MAIN NO. 87 OF 2018(F)**

THE PROJECT DIRECTOR
AND EX-OFFICIO JOINT SECRETARY (RD)
AND ANR. ... APPLICANTS

Versus

CRUZ PEREIRA AND 3 ORS. ... RESPONDENTS

**WITH
MISC. CIVIL APPLICATION NO. 896 OF 2018
IN
STAMP NUMBER MAIN NO. 53 OF 2018(F)**

THE PROJECT DIRECTOR
AND EX-OFFICIO JOINT SECRETARY (RD),
DISTRICT RURAL DEV. AGENCY
AND ANR. ... APPLICANTS

Versus

THOMAS FERNANDES
(SINCE DECEASED
THROUGH LRS., AND 7 ORS.) ... RESPONDENTS

Mr. Deep Shirodkar, Additional Government Advocate for
the Applicants.

Mr. Chaitanya Padgaonkar with Ms. Vaishali Mahato,
Advocates for Respondent Nos. 1(a) to 1(g).

CORAM:- VALMIKI MENEZES, J.

DATED :- 28th NOVEMBER, 2024.

P.C:

1. These are the applications for condonation of delay of 402 days in filing the First Appeals against the Awards passed by the District Judge-2 (FTC), North Goa at Panaji in Land Acquisition Case No. 46/2015 and Land Acquisition Case No. 44/2015 respectively. Both these applications are vehemently opposed by the Respondent. It is submitted that the delay is not properly explained in the application.

2. According to the applications which are supported by an affidavit of the Project Director of Applicant No. 1, the delay was on account of movement of the file to various departments. The affidavit states that after the certified copy was obtained from the District Court on 06.10.2016, the opinion of the concerned Advocate was sought which was given in the December, 2016. The file was then moved along with a group of 19 Appeals arising from the acquisition under

the same notification and was then moved to the concerned departments of the Governments for drafting and for final, financial and legal approval somewhere in July, 2017. The delay was caused on account of the administrative exigencies of moving the file and obtaining opinions and necessary sanctions for filing the Appeal.

3. Though the affidavit does not justify the delay on day-to-day basis, the affidavit thus states that the delay is caused on account of movement of files at each department for obtaining necessary sanctions and approval for filing the Appeal.

4. This can be considered a good cause to show reasons for condoning the delay in filing the First Appeal. Considering these reasons, both applications are allowed. The delay of 402 in filing the First Appeals is condoned.

5. Accordingly, MISC. CIVIL APPLICATION NO. 894 OF 2018 and MISC. CIVIL APPLICATION NO. 896 OF 2018 stand disposed of.

6. Both First Appeals shall be registered.

VALMIKI MENEZES, J.