

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

**INTERIM APPLICATION NO. 7732 OF 2024
IN
FIRST APPEAL (ST) NO. 7889 OF 2024**

Mr. Arjun Laxman Rane

... Applicant/Appellant

Vs.

Special Land Acquisition Officer, Alibaug, Raigad ... Respondents
And Anr.

Adv. M. V. Thorat, a/w Adv. Amar Bodke, a/w Adv. Avinash A. Bailmare, for
the Appellant/Applicant.
Ms. Leena Patil, for the Respondent No. 2.

CORAM : KISHORE C. SANT, J.

DATE : 19th APRIL, 2024

P.C.:-

1. Heard. This Application is for condonation of delay of 4 years and 146 days caused in filing the First Appeal challenging the Judgment and Order dated 19th July 2019, passed by the learned Civil Judge Senior Division Alibag in LAR No. 1050/2000. It is stated in the Application that the Judgment was passed in July 2019, that the Applicant was not well and was suffering from medical issues the Applicant has also annexed to the Application documents related to the medical treatment. He submits that for this reasons the appeal could not be preferred earlier.

2. The learned Advocate for the Respondent vehemently opposes

the Application stating that no sufficient reason is assigned specifically. The delay is more than 4 years. She also submits, if in case appeal is allowed Respondents will have to pay interest for this period also. Even if Respondent had also filed appeal bearing First Appeal Stamp No. 26497 of 2023, which is pending in this Court.

3. Considering that the Application this property is acquired by the Respondent, this Court finds that in the interest of justice to allow the Application.

4. It is made clear that the Applicant shall not be entitled to receive interest for the period of delay in case the Appeal is allowed.

5. The delay stands condoned. The Interim Application is allowed and disposed of.

6. Office to register the above First Appeal.

(KISHORE C. SANT, J.)