

Nikita

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

WRIT PETITION NO.2744 OF 2022

Noor Mohammed Gulam Hafiz Khan ... Petitioner

V/s.

The State of Maharashtra Through GP
and Ors. ... Respondents

Digitally
signed by
NIKITA
KAILAS
DARADE
Date:
2024.04.03
18:04:43
+0530

Mr. Sagar P. Batavia for the Petitioner.

Mr. Sanjay D. Rayrikar, AGP for the State-Respondent
Nos. 1 to 4.

Ms. Simantini Mohite, for Respondent No.5 (SRA).

CORAM : AMIT BORKAR, J.

DATED : APRIL 3, 2024

P.C.:

1. By the impugned order the Appellate Authority under Section 35 of the Maharashtra Slum Area Act, 1971 has refused to condone the delay of 4925 days.

2. According to the petitioner a delay occurred due to lack of knowledge of the impugned order. However the Appellate Authority based on agreement to sale executed by the petitioner recorded a finding that the said agreement contains a recital about the eligibility of the Patel Hasan Khawaja (husband of respondent No.9). Therefore, it is clear that the petitioner had knowledge of the order in the year 2010. Hence, the appeal filed in the year

2020 for condonation of delay of 4925 days is rightly rejected. There is no legal infirmity in the impugned order.

3. The writ petition is dismissed. No costs.

(AMIT BORKAR, J.)