

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

**INTERIM APPLICATION NO.7035 OF 2024  
IN  
FIRST APPEAL (ST) NO.20069 OF 2021**

The State of Maharashtra & Anr. ..Applicants  
Versus  
Shri. Sitaram Hiraji Bahiram ..Respondent  
Mr. A. R. Patil, AGP for the Applicants/State.

**CORAM : KISHORE C. SANT, J.**

**DATE : 8<sup>th</sup> MAY, 2024**

**PC.**

1. This Application is filed seeking condonation of delay of 3 years and 180 days caused in filing Appeal. The Appeal is filed by the acquiring body/State challenging the judgment and award passed by learned Civil Judge, Senior Division, Nashik, in LAR No.190 of 2010. It is stated in the Application that the delay is not intentional. Some time was spent in taking decision for filing the Appeal. Some communication was required as the proposals were sent by the District Government Pleader to the authorities. It is thereafter the authorities decided to file an Appeal. In that process, some time is taken. Thus, delay is not intentional and is caused due to the reasons stated in the Application, this Court finds that sufficient reasons are given for condonation of delay. Delay

therefore needs to be condoned and the same is condoned.

2. On going through Appeal and the impugned judgment that it is arising out of the judgment and award, wherein enhancement in the amount of compensation by the Reference Court is less than four times of the amount awarded by the learned SLAO. The Government has now taken a decision not to file Appeal, wherein the amount of enhancement is less than four times of the award by the SLAO. In view of the said decision Applicant is intending to withdraw the Appeal. Considering this aspect, this Court is inclined to allow the Application for condonation of delay even without issuing notice.

3. The Application therefore stands allowed. Delay stands condoned.

**[KISHORE C. SANT, J.]**