



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**41 CIVIL APPLICATION NO. 999 OF 2025
IN FAST/1373/2025**

Omprakash S/o Ramprasad Lohiya

VERSUS

**Union Of India Through The General Manager Central Railway
Mumbai And Ors.**

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Advocate for Applicant : Mr. Shirsat Suhas R

AGP for Respondents: Mr. V S Badakh

Advocate for Respondent 1 : Mr. Bhosale Ramdas B.

CORAM : S. G. CHAPALGAONKAR, J.

Dated : January 28, 2025

PER COURT :-

1. Learned counsel appearing for the applicant undertakes to deposit the deficit court fees of Rs.200/- within a period of two weeks from today.

2. The applicant seeks to condone the delay of 221 days caused in filing the appeal against the award passed by the Reference Court.

3. The applicant is the original claimant in LAR No.10 of 2019 . His land has been acquired for the Railway Project. The applicant was not satisfied with the compensation awarded by the L.A.O. Therefore, he made Reference under section 18 of the Land Acquisition Act. Although, reference was partly allowed granting enhanced compensation, the applicant is aggrieved by the assessment made by Reference Court.

4. Mr. Shirsath learned counsel submits that delay is not intentional. The applicant was facing financial crises. Further, he was not well advised as to the procedure of filing the appeal.

5. Considering the reasons as stated in the application, case is made out to condone the delay. Hence, civil application is allowed. Delay of 221 days caused in filing the appeal is condoned. CA stands disposed off.

6. The appeal be registered. On registration of the appeal, issue notice to the Respondents, returnable on 25.3.2025. Mr. Bhosle learned counsel waives notice for respondent nos.1 and 2. Learned AGP waives notice for respondent no.3.

7. Call for Record and Proceeding.

(S. G. CHAPALGAONKAR, J.)

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