



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.10390 OF 2022
IN
FIRST APPEAL (ST) NO. 8335 OF 2022

Executive Engineer
Dudhganga Kalava Vibhag No. 1

... Applicant.

Versus

Babaso Pargonda Patil (deceased)
Thr. LR's 1a) Sumitra Babaso Patil and Ors.

... Respondents.

Ms. Chaitralii A. Deshmukh for the Applicant.
Mr. Mayur Sonavane, AGP for the Respondent-State.

Coram : Sharmila U. Deshmukh, J.
Date : March 19, 2025

P.C. :

1. Interim Application has been preferred seeking condonation of delay of 1 years 350 days caused in preferring the Appeal.
2. Office noting indicates that the Respondents are duly served. Today, none appears for the Respondents.
3. Learned counsel appearing for the Applicant submits that the Reference Court enhanced the compensation which was granted by the Special Land Acquisition Officer (SLAO) by the impugned Judgment and Award on 16th January, 2020 and thereafter, due to COVID-19 pandemic, the entire country was under lockdown. She

would further submit that during the said period, the files were processed for purpose of obtaining the necessary permissions and the opinion of the empanelled Advocate, which was received only in November, 2020. She would further submit that as per the calculation of the SLAO, the Applicant has deposited the amount in the Reference Court which is already withdrawn by the Claimant. She submits that due to the approvals which were required to be obtained, the delay has occasioned, for which there is sufficient explanation.

4. The submission of learned counsel for the Applicant is substantiated from the pleadings which sets out in detail the sequence of event leading from the passing of the impugned Judgment and Award to obtaining of the approval. Further the Applicant has deposited the amount as per the calculation of SLAO which has already been withdrawn by the Claimant.

5. The Application gives sufficient explanation for delay of 1 years and 350 days and therefore, the same stands condoned. Interim Application stands allowed.

[Sharmila U. Deshmukh, J.]