

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 9257 OF 2024

IN

FIRST APPEAL (St.) NO. 13154 OF 2023

Pralhad Harishchandra Thakur and Others

...Applicants.

Versus

The State of Maharashtra

...Respondent.

Ms. Deepa Punde i/b Mr. Sachin Punde for the Applicant.
Mr. A. R. Patil, AGP for State.

Coram : Sharmila U. Deshmukh, J.

Date : 11th March, 2025.

P. C. :

1. Interim Application has been preferred seeking condonation of delay of 133 days caused in preferring the First Appeal.
2. Learned counsel appearing for Applicants submits that the impugned judgment was passed on 27th February, 2020 and certified copy was received on 21st September, 2020. She submits that lands came to be acquired by virtue of notification of the year 1991 and that acquired land was sole source of income by reason of which the Claimants were facing financial difficulty. She would further submit that Respondents did not immediately deposit the entire decretal amount and only after the decretal amount came to be deposited, the

same came to be withdrawn.

3. Mr. Patil, learned AGP does not seriously oppose the Application as proceedings arise out of land acquisition proceedings.
4. The Application specifically pleads financial inability of the Claimants, which cannot be doubted. It is specifically pleaded that notification is of the year 1991 and decretal amount is stated to have been deposited subsequently. As such, the Applicants could not manage the proper funds for the purpose of filing the appeal.
5. Sufficient explanation is tendered for delay of 133 days.
6. Resultantly, delay stands condoned. Interim Application is allowed.

[Sharmila U. Deshmukh, J.]