



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 10614 OF 2024
IN
FIRST APPEAL (St.) NO. 18121 OF 2023

State of Maharashtra.

...Appellant.

Versus

Kai Sudam Ramji Kadu

Since deceased Thr. Legal Heirs.

...Respondent.

Mr. Mayur Sonavane, AGP for the Appellant.

Coram : Sharmila U. Deshmukh, J.

Date : April 9, 2025.

P. C. :

1. Interim Application has been preferred seeking condonation of delay of 344 days.
2. Office noting indicates that the sole Respondent has been duly served. Today, none appears for the Respondent and there is no opposition.
3. Mr. Sonavane, learned AGP submits that the impugned judgment and award was passed on 24th February 2022 and certified copy was received on 28th March 2022. He submits that the proposal was forwarded to Law & Judiciary Department for approval, which was received on 15th December 2022. He submits that the amount towards

Court fees and other expenses was received only on 12th April 2023 and by reason thereof there is delay of 344 days in filing Appeal.

4. Perusal of paragraph 3 of the Application would indicate that detailed explanation has been given for delay. More particularly, item no.20 of paragraph 3 would indicate that numerous letters were written by the office of Deputy Collector to CIDCO calling upon them to remit the Court fees for the purpose of filing Appeal and the same was remitted only on 12th April 2023. It cannot be disputed that unless and until the Court fees are remitted, it is not possible for the First Appeal to be filed and therefore the explanation for delay is sufficient. Delay stands condoned. Application is allowed.

[Sharmila U. Deshmukh, J.]