

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 10638 OF 2024.

IN

FIRST APPEAL (ST) NO. 18666 OF 2023.

Ramdas Atmaram Thakur Thr. Poa Appellant No.4 ...Applicants.
And Ors.

Versus

The State Of Maharashtra (Thr.The Deputy Collector ...Respondent.
(Land Acquisition), Mumbai

Ms. Deepa Punde i/by Sachin Punde for the Applicant.
Mr. Mayur Sonawane AGP for the State.

Coram : Sharmila U. Deshmukh, J.

Date : February 11, 2025.

P. C. :

1. Interim Application has been preferred seeking condonation of delay of 469 days caused in preferring the Appeal.
2. Learned Counsel appearing for the Applicant submits that the impugned Judgment and order was passed on 6th October, 2021 and the certified copies were received on 20th December, 2021. She would further submit that the Applicants are agriculturist and are facing financial difficulties as the acquired land was the only source of income. She submits that due to non payment of the decretal amount the Applicants faced financial constraints in arranging the funds for the purpose of filing of the Appeal. She would submit that due to Covid

pandemic the further course of action could not be adopted by the Applicants and therefore there is delay of 469 days.

3. Learned AGP, would oppose the Application contending that the delay of 469 days has not been sufficiently explained in the present case.

4. The impugned Judgment and Award was passed on 6th October 2021 and it is stated that the certified copy of the same was received on 20th December, 2021. During this period the Courts were partially functioning due to the Covid pandemic restrictions and therefore the explanation that timely steps could not be taken by the Applicant is a possible explanation. Further it also cannot be disputed that the lands of the Applicants who are agriculturist were acquired and for the purpose of filing the Appeal it was necessary to arrange for funds. The pleadings in the Application makes out sufficient cause for condonation of delay of 469 days.

5. In light of the above, the delay of 469 days stands condoned. Interim Application is allowed.

[Sharmila U. Deshmukh, J.]