

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 3385 OF 2025

IN

FIRST APPEAL (St.) NO. 33016 OF 2024

Sulochana Bharat Naik and Others

...Applicants

Versus

The Special Land Acquisition Officer and Others

...Respondents

Ms. Deepa Punde i/b Mr. Sachin Punde for Applicants.
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 2 years, 5 months and 24 days days caused in preferring the First Appeal.
2. Learned counsel appearing for Applicants' submits that the impugned judgment was passed on 21st September, 2019 and certified copy was received on 21st September, 2020. She submits that land came to be acquired in the year 1970 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decretal amount came to be deposited, the same came to be withdrawn.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 lands came to be acquired in the year 1970 and decretal amount is stated to have been deposited subsequently. As such, the Applicants could not manage funds for the purpose of filing the appeal.

5. Sufficient explanation is tendered for delay of 2 years, 5 months and 24 days.

6. Resultantly, delay stands condoned. Interim Application is allowed.

[Sharmila U. Deshmukh, J.]