



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 3671 OF 2025
WITH
INTERIM APPLICATION NO. 3672 OF 2025
IN
FIRST APPEAL STAMP NO. 5715 OF 2024

NATIONAL HIGHWAYS AUTHORITY
OF INDIA PIU PANVEL

..APPLICANT

IN THE MATTER BETWEEN

NATIONAL HIGHWAYS AUTHORITY
OF INDIA PIU PANVEL

..APPELLANT

VS.

VISHWAS SADASHIV DESHMUKH & ANR. ..RESPONDENTS

Dr. Abhinav Chandrachud with Ms. Kajal Gupta, Shweta Singh i/b. M.
V. Kini & Co. for applicant.

Mr. Sachin S. Punde a/w. Ms. Deepa Punde for respondent no.1.

Mr. A. R. Patil, Addl. G. P. for respondent no.2 – State.

CORAM : RAJESH S. PATIL, J.

RESERVED ON : 30 SEPTEMBER 2025.

PRONOUNCED ON : 15 OCTOBER 2025.

JUDGMENT :

**INTERIM APPLICATION NO. 3671 OF 2025 IN FIRST APPEAL STAMP
NO. 5715 OF 2024 :-**

1) This Interim Application is filed by the Acquiring Body seeking
condonation of delay of 598 days in filing the First Appeal which

challenges the judgment and award dated 2 March 2022 passed by the 3rd Joint Civil Judge, District Alibaug, in L.A.R. No. 24 of 2019.

2) It is submitted on behalf of the Applicant/Acquiring Body that primarily the delay has been caused due to negligence of one of its officer for which the applicant – company should not be made to suffer. Secondly, the applicant was never heard before the Reference Court and before the Collector, therefore, the delay caused in filing the present First Appeal needs to be condoned and the First Appeal should be heard on merits and the impugned award needs to be stayed, without any conditions being imposed of depositing the entire decretal amount along with accrued interest on the applicant. So also, it is ill-advise of the Panel Lawyer of the applicant, due to which delay has been caused in filing the First Appeal. As far as merits are concerned, the applicant is having good case on merits and the Reference Court has passed the award under Section 28(A)(3) of the Land Acquisition Act, 1894, which has been inserted after the amendment in the year 1984 to the Land Acquisition Act, the purpose of the same was meant for poor and illiterate persons. Therefore, the benefit of Section 28(A)(3) of the Land Acquisition Act would not be applicable to the present applicant.

2.1) The delay though mentioned as 598 days, which has been calculated from the date of the passing of the award by the Reference Court, till filing of the First Appeal, however, the applicant got knowledge about passing of the award by the Reference Court much later. Hence, the actual delay is 262 days.

2.2) On behalf of the applicant, the following judgments were referred to in support of their submissions:-

- (i) *State of Orissa & Ors. vs. Chitrasen Bhoi*¹ ;
- (ii) *Girimallappa Vs. Special Land Acquisition Officer*²;
- (iii) *State of Nagaland Vs. Lipok Ao & Ors.*³;
- (iv) *Special Tehsildar, Land Acquisition, Kerala Vs. K. v. Ayisumma*⁴;
- (v) *G. Ramegowda, Major & Ors. Vs. Special Land Acquisition Officer, Bangalore*⁵.

3) On behalf of the respondent no.1 (original claimant) Mr. Punde, learned counsel made submissions. He submitted that the applicant has made a false statement on oath by submitting that they were never given an opportunity by the Reference Court. He submitted that by a letter dated 3 July 2018, addressed by the Sub-Divisional Officer, Panvel, to the present applicant, received by the

1 (2009) 17 SCC 74

2 (2012) 11 SCC 548

3 (2005) 3 SCC 752

4 (1996) 10 SCC 634

5 (1988)2 SCC 142

applicant on 5 July 2018, mentioned whether they would be challenging the award passed by the Collector, before the Reference Court. Even after receipt of the said letter dated 3 July 2018, the applicant chose not to act on. Further, it will be totally incorrect on the part of the applicant to state that the delay is only of 262 days when by notice dated 12 May 2022, the Land Acquisition Officer had informed the Applicant about passing of the award by the Reference court. So also, the respondent no.1 (original claimant) by their Advocate's notice dated 17 August 2022, informed the applicant (Acquiring Body) about passing of the award by the Reference Court. Therefore, only on this ground of suppression, the present delay condonation application requires to be rejected with exemplary cost.

3.1) It is a matter of record that in the present proceedings the lands are situated in village Padegat, Taluka Panvel, District Raigad. The Reference Court has allowed the rate of Rs.751/- per square meters. The Division Bench of this Court has granted rate compensation @ of Rs.851/- per square meters to the land of adjoining village Bambavi. It is the argument of the landowners that the actual rate of acquisition of lands in Taluka Panvel should be Rs.1725/- per square meters which in fact was allocated by the Division Bench of this Court. However, on technical grounds, the

Supreme Court remanded back the matter and those First Appeals are awaiting to be heard finally. Therefore, the present applicant refusing to deposit the award amount @ of Rs.751/- per square meters along with accrued interest will have no merits and hence, such kind of delay condonation application should not be allowed.

3.2) It is very easy now at this stage to blame the officer, after delay condonation application being filed, affirmed by the same officer of the applicant, who has also filed affidavit-in-rejoinder, and only by oral submissions the blame is put on the said officer for the delay caused in filing the appeal and coupled with blaming the Panel Lawyer. Admittedly, no action is taken against the said officer and the Panel Lawyer of the applicant.

3.3) Mr. Punde, learned counsel referred to the following three judgments:

(i) Pundlik Jalam Patil (deceased) by Lrs vs. Executive Engineer, Jalgaon Medium Project & another⁶

(ii) Maniben Devraj Shah vs. Municipal Corporation of Brihan Mumbai⁷

(iii) State of Madhya Pradesh & ors. vs. Bherula⁸

4) I have carefully heard learned counsel for Applicant (Acquiring

6 (2008) 17 SCC 448

7 (2012) 5 SCC 157

8 (2020) 10 SCC 654

Body), original claimant and State and have gone through the documents on record and the judgments referred by both sides.

5) The present application for delay condonation is filed by an officer of the applicant who has further filed an additional affidavit and affidavit-in-rejoinder in the present delay condonation application. Now the case as tried to be made out that, it is due to negligence and mistake of the said officer, the delay was caused and for which the applicant should not be punished by way of rejecting the delay application. Admittedly, learned counsel for the applicant could not make any statement whether they intend to take any action against the said officer, so also, against the Panel Advocate no action as of now has been taken by the applicant though even the Panel Advocate has been blamed for delay caused for wrong advice.

6) Before the proceedings could have started before the Reference Court for hearing the original claimant and the Government by its letter dated 3 July 2018, addressed by the Sub-Divisional Officer, Panvel, to the claimant, specifically informed and sought information from the present applicant whether they would be approaching the Reference Court. It seems that thereafter, no steps were taken by the applicant in that direction.

7) Hence, the argument made on behalf of the applicant that they were having no knowledge 'fails'. As one goes through the delay condonation application in which the cause of delay is narrated in paragraph 11 which reads as under :-

11) The Applicant further states that since the Applicant is a government company, it required sometime in the decision-making process regarding filing of Appeal, and then approving of the same to be filed in the Hon'ble High Court. All these steps re-quired approval from various authorities and some amount of time has been consumed in the said process. The Applicant states that the Applicant tried to complete the entire exercise of seeking approval from the various authorities as early as possi-ble. It was imperative to consider the merits of the matter the financial implications and other modalities which took some time.

8) By an additional affidavit it has been further tried to be explained by the applicant the cause of the delay in Paragraph No.3. Apart from the above paragraphs, there is no further paragraphs to explain the delay caused in filing the First Appeal.

9) I have also gone through the copy of the reply filed on behalf of the respondent no.1 (original claimant). The said reply dated 9 November 2024, has been affirmed by the original claimant who is 68 years of age and the same has been signed in vernacular language (Marathi language). Therefore, according to me, the said original claimant is not conversant with the English language, and seems to have barely studied.

9.1) Section 28(A) of the Land Acquisition Act does not mention

that the benefits of the said section which has been inserted after 1984 amendment, will apply only to poor and illiterate persons. In the present proceedings, the Reference Court has granted compensation at the rate of Rs.751/- per square meters, whereas, admittedly in the adjoining village the rate granted is Rs.851/- per square meters. The present applicant is not ready to deposit entire award amount along with accrued interest before this Court or Reference Court, which is normally done by the Applicant – State or Acquiring Body in First Appeal pertaining to the Land Acquisition matters. It is nobody's case that award was an ex-parte award. The State was represented before the Reference Court by Government Pleader, who had opposed the Claim Petition, and even cross-examined the witness of the claimant.

10) After going through the reasons stated in the delay condonation application, I do not find reasons to be *bonafide*, to allow the application.

11) Coming to the judgments referred by the applicant, the judgments referred of *Lipok Ao* (supra) and *G. Ramegowda, Major* (supra), both the judgments were considered by Supreme Court in its later judgment of *Postmaster General and others vs. Living Media*

India Limited and another⁹. In the said judgment of the ***Postmaster General*** (supra), the Supreme Court refused to condone the delay of 437 days in filing the SLP on the ground that condonation of delay is an exception and should not be used as an anticipated benefit for the Government Departments and it is the right time to inform all the government bodies, their agencies and instrumentalities that unless they have reasonable and acceptable explanation for the delay and there was bona fide effort, there is no need to accept the usual explanation degree of procedural red tape in the process. Paragraph Nos. 25 to 30 reads as under:-

25. We have already extracted the reasons as mentioned in the "better affidavit" sworn by Mr Aparajeet Pattanayak, SSRM, Air Mail Sorting Division, New Delhi. It is relevant to note that in the said affidavit, the Department has itself mentioned and is aware of the date of the judgment of the Division Bench of the High Court in Office of the Chief Postmaster v. Living Media India Ltd. as 11-9-2009. Even according to the deponent, their counsel had applied for the certified copy of the said judgment only on 8-1-2010 and the same was received by the Department on the very same day. There is no explanation for not applying for the certified copy of the impugned judgment on 11-9-2009 or at least within a reasonable time. The fact remains that the certified copy was applied for only on 8-1-2010 i.e. after a period of nearly four months.

26. In spite of affording another opportunity to file better affidavit by placing adequate material, neither the Department nor the person-in-charge has filed any explanation for not applying the certified copy within the prescribed period. The other dates mentioned in the affidavit which we have already extracted, clearly show that there was delay at every stage and except mentioning the dates of receipt of the file and the decision taken, there is no explanation as to why such delay had occasioned. Though it was stated by the Department that the delay was due to unavoidable circumstances and genuine difficulties, the fact remains that from

day one the Department or the person/persons concerned have not evinced diligence in prosecuting the matter to this Court by taking appropriate steps.

27. It is not in dispute that the person(s) concerned were well aware or conversant with the issues involved including the prescribed period of limitation for taking up the matter by way of filing a special leave petition in this Court. They cannot claim that they have a separate period of limitation when the Department was possessed with competent persons familiar with court proceedings. In the absence of plausible and acceptable explanation, we are posing a question why the delay is to be condoned mechanically merely because the Government or a wing of the Government is a party before us.

28. Though we are conscious of the fact that in a matter of condonation of delay when there was no gross negligence or deliberate inaction or lack of bona fides, a liberal concession has to be adopted to advance substantial justice, we are of the view that in the facts and circumstances, the Department cannot take advantage of various earlier decisions. The claim on account of impersonal machinery and inherited bureaucratic methodology of making several notes cannot be accepted in view of the modern technologies being used and available. The law of limitation undoubtedly binds everybody including the Government.

29. In our view, it is the right time to inform all the government bodies, their agencies and instrumentalities that unless they have reasonable and acceptable explanation for the delay and there was bona fide effort, there is no need to accept the usual explanation that the file was kept pending for several months/years due to considerable degree of procedural red tape in the process. The government departments are under a special obligation to ensure that they perform their duties with diligence and commitment. Condonation of delay is an exception and should not be used as an anticipated benefit for the government departments. The law shelters everyone under the same light and should not be swirled for the benefit of a few.

30. Considering the fact that there was no proper explanation offered by the Department for the delay except mentioning of various dates, according to us, the Department has miserably failed to give any acceptable and cogent reasons sufficient to condone such a huge delay. Accordingly, the appeals are liable to be dismissed on the ground of delay.

(Emphasis supplied)

12) Similarly in the judgment of *Pundlik Patil* (supra), the Supreme Court refused to condone the delay. Paragraph No.31 of the said

judgment reads as under :-

“31. It is true that when the State and its instrumentalities are the applicants seeking condonation of delay they may be entitled to certain amount of latitude but the law of limitation is same for citizen and for governmental authorities. The Limitation Act does not provide for a different period to the Government in filing appeals or applications as such. It would be a different matter where the Government makes out a case where public interest was shown to have suffered owing to acts of fraud or collusion on the part of its officers or agents and where the officers were clearly at cross purposes with it. In a given case if any such facts are pleaded or proved they cannot be excluded from consideration and those factors may go into the judicial verdict. In the present case, no such facts are pleaded and proved through a feeble attempt by the learned counsel for the respondent was made to suggest collusion and fraud but without any basis. We cannot entertain the submission made across the Bar without there being any proper foundation in the pleadings.”

(Emphasis supplied)

13) In the judgment of **Maniben Shah** (supra), the Supreme Court refused to condone the delay. The Supreme Court had considered the judgment of **Lipok Ao** (supra). Paragraph Nos. 13, 14 and 15 of the said judgment read as under :-

“13. Experience shows that on account of an impersonal machinery (no one in charge of the matter is directly hit or hurt by the judgment sought to be subjected to appeal) and the inherited bureaucratic methodology imbued with the note-making, file-pushing, and passing-on-the-buck ethos, delay on its part is less difficult to understand though more difficult to approve. The State which represents collective cause of the community, does not deserve a litigant-non-grata status. The courts, therefore, have to be informed with the spirit and philosophy of the provision in the course of the interpretation of the expression of sufficient cause. Merit is preferred to scuttle a decision on merits in turning down the case on technicalities of delay in presenting the appeal. Delay as accordingly condoned, the order was set aside and the matter was remitted to the High Court for disposal on merits after affording opportunity of hearing to the parties. In Prabha v. Ram Parkash Kalrall this Court had held that the court should not adopt an injustice-oriented approach in rejecting the application for condonation of delay. The appeal was allowed, the delay was condoned and the matter was remitted for expeditious disposal in accordance with law.

14. In *G. Ramegowda v. Spl. Land Acquisition Officer* it was held that no general principle saving the party from all mistakes of its counsel could be laid. The expression "sufficient cause" must receive a liberal construction so as to advance substantial justice and generally delays in preferring the appeals are required to be condoned in the interest of justice where no gross negligence or deliberate inaction or lack of bona fides is imputable to the party seeking condonation of delay. In litigations to which Government is a party, there is yet another aspect which, perhaps, cannot be ignored. If appeals brought by Government are lost for such defaults, no person is individually affected, but what, in the ultimate analysis, suffers is public interest. The decisions of Government are collective and institutional decisions and do not share the characteristics of decisions of private individuals. The law of limitation is, no doubt, the same for a private citizen as for governmental authorities. Government, like any other litigant must take responsibility for the acts, omissions of its officers. But a somewhat different complexion is imparted to the matter where Government makes out a case where public interest was shown to have suffered owing to acts of fraud or bad faith on the part of its officers or agents and where the officers were clearly at cross-purposes with it. It was, therefore, held that in assessing what constitutes sufficient cause for purposes of Section 5, it might, perhaps, be somewhat unrealistic to exclude from the considerations that go into the judicial verdict, these factors which are peculiar to and characteristic of the functioning of the Government. Government decisions are proverbially slow encumbered, as they are, by a considerable degree of procedural red tape in the process of their making. A certain amount of latitude is, therefore, not impermissible. It is rightly said that those who bear responsibility of Government must have "a little play at the joints". Due recognition of these limitations on governmental functioning of course, within reasonable limits - unrealistic. It would, perhaps, be unfair and unrealistic to put Government on the same footing as private parties in all respects in such matters. Implicit in the very nature of governmental functioning is procedural delay incidental to the decision-making process. The delay of over one year was accordingly condoned.

15. It is axiomatic that decisions are taken by officers/agencies proverbially at a slow pace and encumbered process of pushing the files from table to table and keeping it on the table for considerable time causing delay intentional or otherwise is a routine. Considerable delay of procedural red tape in the process of their making decision is a common feature. Therefore, certain amount of latitude is not impermissible. If the appeals brought by the State are lost for such default no person is individually affected but what in the ultimate analysis suffers, is public interest. The expression "sufficient cause" should, therefore, be considered with pragmatism in a justice-oriented approach rather than the technical detection of sufficient cause for explaining every day's delay. The factors which are peculiar to and

characteristic of the functioning of the governmental conditions would be cognizant to and requires adoption of pragmatic approach in justice-oriented process. The court should decide the matters on merits unless the case is hopelessly without merit. No separate standards to determine the cause laid by the State vis-à-vis private litigant could be laid to prove strict standards of sufficient cause. The Government at appropriate level should constitute legal cells to examine the cases whether any legal principles are involved for decision by the courts or whether cases require adjustment and should authorise the officers to take a decision or give appropriate permission for settlement. In the event of decision to file appeal, needed prompt action should be pursued by the officer responsible to file the appeal and he should be made personally responsible for lapses, if any. Equally, the State cannot be put on the same footing as an individual. The individual would always be quick in taking the decision whether he would pursue the remedy by way of an appeal or application since he is a person legally injured while the State is an impersonal machinery working through its officers or servants.

(Emphasis supplied)

14) In **Bherulal** (supra), the Supreme Court refused to condone the delay of 663 day on the ground that the Government must pay a cost for wastage of judicial time which has its own value. The Supreme Court refused to condone the delay mechanically merely because the Government or a State is party to a case. Law of limitation undoubtedly binds everybody including the Government. Paragraph Nos. 2 to 8 of the said judgment read as under:-

2. We are constrained to pen down a detailed order as it appears that all our counselling to the Government and government authorities has fallen on deaf ears ie. the Supreme Court of India cannot be a place for the Governments to walk in when they choose ignoring the period of limitation prescribed. We have raised the issue that if the government machinery is so inefficient and incapable of filing appeals/petitions in time, the solution may lie in requesting the legislature to expand the time period for filing limitation for government authorities because of their gross incompetence. That is not so. Till the statute subsists, the appeals/petitions have to be filed as per the statutes prescribed.

3. No doubt, some leeway is given for the government inefficiencies but the sad part is that the authorities keep on relying on judicial pronouncements

for a period of time when technology had not advanced and a greater leeway was given to the Government [LAO v. Katiji¹]. This position is more than elucidated by the judgment of this Court in Postmaster General v. Living Media (India) Ltd. wherein the Court observed as under; (Postmaster General case, SCC pp. 573-74, paras 27-30)

27. It is not in dispute that the person(s) concerned were well aware or conversant with the issues involved including the prescribed period of limitation for taking up the matter by way of filing a special leave petition in this Court. They cannot claim that they have a separate period of limitation when the Department was possessed with competent persons familiar with court proceedings. In the absence of plausible and acceptable explanation. we are posing a question why the delay is to be condoned mechanically merely because the Government or a wing of the Government is a party before us.

28. Though we are conscious of the fact that in a matter of condonation of delay when there was no gross negligence or deliberate inaction or lack of bona fides, a liberal concession has to be adopted to advance substantial justice, we are of the view that in the facts and circumstances. the Department cannot take advantage of various earlier decisions. The claim on account of impersonal machinery and inherited bureaucratic methodology of making several notes cannot be accepted in view of the modern technologies being used and available. The law of limitation undoubtedly binds everybody including the Government.

29. In our view, it is the right time to inform all the government bodies, their agencies and instrumentalities that unless they have reasonable and acceptable explanation for the delay and there was bona fide effort, there is no need to accept the usual explanation that the file was kept pending for several months/years due to considerable degree of procedural red tape in the process. The government departments are under a special obligation to ensure that they perform their duties with diligence and commitment. Condonation of delay is an exception and should not be used as an anticipated benefit for the government departments. The law shelters everyone under the same light and should not be swirled for the benefit of a few.

30. Considering the fact that there was no proper explanation offered by the Department for the delay except mentioning of various dates, according to us, the Department has miserably failed to give any acceptable and cogent reasons sufficient to condone such a huge delay."

Eight years hence the judgment is still unheeded!

4. A reading of the aforesaid application shows that the reason for such an inordinate delay is stated to be only "due to unavailability of the documents and the process of arranging the documents". In para 4, a reference has been made to "bureaucratic process works, it is inadvertent that delay occurs",

5. A preposterous proposition is sought to be propounded that if there is

some merit in the case, the period of delay is to be given a go-by. If a case is good on merits, it will succeed in any case. It is really a bar of limitation which can even shut out good cases. This does not, of course, take away the jurisdiction of the Court in an appropriate case to condone the delay.

6. We are also of the view that the aforesaid approach is being adopted in what we have categorised earlier as "certificate cases". The object appears to be to obtain a certificate of dismissal from the Supreme Court to put a quietus to the issue and thus, say that nothing could be done because the highest Court has dismissed the appeal. It is to complete this formality and save the skin of officers who may be at default that such a process is followed. We have on earlier occasions also strongly deprecated such a practice and process. There seems to be no improvement. The purpose of coming to this Court is not to obtain such certificates and if the Government suffers losses, it is time when the officer concerned responsible for the same bears the consequences. The irony is that in none of the cases any action is taken against the officers, who sit on the files and do nothing. It is presumed that this Court will condone the delay and even in making submissions, straightaway the counsel appear to address on merits without referring even to the aspect of limitation as happened in this case till we pointed out to the counsel that he must first address us on the question of limitation.

7. We are thus, constrained to send a signal and we propose to do in all matters today, where there are such inordinate delays that the Government or State authorities coming before us must pay for wastage of judicial time which has its own value. Such costs can be recovered from the officers responsible.

8. Looking to the period of delay and the casual manner in which the application has been worded, we consider it appropriate to impose costs on the petitioner State of Rs 25,000 (Rupees twenty-five thousand) to be deposited with the Mediation and Conciliation Project Committee. The amount be deposited in four weeks. The amount be recovered from the officers responsible for the delay in filing the special leave petition and a certificate of recovery of the said amount be also filed in this Court within the said period of time.

15) The Supreme Court in the judgment of ***P. K. Ramachandran vs. State of Kerala and another***¹⁰ refused to condone the delay of 565 days in filing the First Appeal. Since there was no explanation, much less reasonable or satisfactory explanation offered by the respondent - State for condonation of delay.

¹⁰ (1997) 7 SCC 556

16) Taking into consideration the judgments of *Pundlik Patil* (supra) and *Postmaster General* (supra), the Division Bench of this Court in Appeal (Stamp) No.29 of 2020 filed at Original Side of this Court refused to condone the delay of 315 days, to the said Bench I was one of the Member. Paragraph No.8 of the said order reads as under:-

8. Therefore one thing is clear from the law as laid down by the Apex Court is that the defence of bureaucratic methodology cannot be and should not be accepted by the Courts and when there is absence of diligence by department in prosecuting a matter, delay cannot be condoned. It is also clear that the condonation of delay is an exception and should not be used as an anticipated benefit for Government department by offering usual explanation that file was kept pending due to procedural red tape. In the present case, apart from the incorrect statement as recorded earlier by us there is also bureaucratic indifference. There is no proper explanation for not filing the Appeal on time.

17) As far as two judgments relied upon by learned counsel appearing for the applicant that of *State of Orissa* (supra), the facts in the said judgment were quite different based on which the delay was condoned. Similarly, in *Girimallappa* (supra), the delay was condoned because the Supreme Court took into consideration the fact that the claimant himself had assessed the market value and the compensation determined, without making any specific prayer for enhancement. The Court held that no further enhancement could be directed in the absence of specific pleadings and prayers. Therefore,

the facts in *Girimallappa* (supra) was quite different than the present proceedings. In *Girimallappa* (supra), it was the claimant who had approached the Court seeking enhancement of compensation and had filed delay condonation application, which was rejected. In contrast, in the present proceedings, it is the Acquiring Body who has approached this Court, according to me, without giving any *bonafide* or sufficient reasons for inordinate delay.

18) In view of the same, according to me, there is no merit in the delay condonation application and the same requires to be rejected.

19) The application stands rejected and disposed of accordingly.

20) In sequel, First Appeal Stamp No.5715 of 2024 and Interim Application No.3672 of 2025 stand dismissed.

(Rajesh S. Patil, J.)

21) At this stage, Ms. Gupta prays for keeping this judgment in abeyance for a period of four weeks from today.

22) Mr. Punde, learned counsel for the original claimant opposes her prayer.

23) Hence, the request made by Ms. Gupta stands rejected.

(Rajesh S. Patil, J.)