



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.10919 OF 2024
IN
FIRST APPEAL (ST.) NO.17956 OF 2024

Mrs. Ujwala Arjun Rane

... Applicant.

Versus

Special Land Acquisition
Officer (Small Irrigation) and Anr.

... Respondents.

Mr. M. U. Thorat a/w. Mr. Avinash Bailmare for the Applicant.
Mr. A.R. Patil, AGP for the Respondent-State.
Ms. Leena Patil, for Respondent No.2.

Coram : Sharmila U. Deshmukh, J.

Date : January 28, 2025

P. C. :

1. Interim Application has been preferred seeking condonation of delay of 4 years and 253 days caused in preferring the First Appeal.
2. Learned counsel for the Applicant submits that the impugned judgment was passed on 20th July, 2019 and the Application for certified copy was made on 14th June, 2021 and the same was obtained on 29th July, 2021. He submits that in the meantime, due to COVID-19 pandemic, the operations in the entire country came to a standstill. He would further submit that the Applicant's husband, who was similarly situated, had filed an Application seeking condonation of delay of 4 years and 146 days which came

to be condoned by order of 19th April, 2024. He further submits that the Acquiring Body has also filed an Appeal along with Application seeking condonation of delay of about 4 years which also came to be allowed by order of 9th February, 2024.

3. Learned counsel appearing for the Acquiring Body would oppose the Application and would submit that there is no sufficient explanation tendered for the delay.

4. It cannot be debated that during the period from 2020 till 2022 due to COVID-19 Pandemic, the affairs of country were moving at slow speed. In the present case, this Court has already condoned the delay of about 4 years and 146 days caused in preferring the Appeal by the Applicant's husband, who was similarly placed. Also the Acquiring Body's own Appeal has been admitted, challenging the same judgment. As such, considering the explanation which is tendered as regards the COVID-19 pandemic, which cannot be doubted, and the orders by this Court condoning the delay Application filed by the Acquiring Body as well as the Appellant's husband, the present Application deserves to be allowed and stands allowed. The delay of 4 years and 253 days stands condoned. Interim Application is allowed.

[Sharmila U. Deshmukh, J.]