

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 15691 OF 2024
IN
FIRST APPEAL (St.) NO. 23463 OF 2024.

Manohar Pandurang Goje

...Applicant/Appellant.

Versus

The State Of Maharashtra

...Respondent.

Ms. Deepa Punde i/b Mr. Sachin Punde for Appellant.
Mr. A. R. Patil, AGP for Respondent-State.

Coram : Sharmila U. Deshmukh, J.

Date : January 23, 2025.

P. C. :

1. Interim Application has been preferred seeking condonation of delay of 1 year and 34 days caused in preferring the present First Appeal.
2. Learned counsel for Applicant submits that due to illiteracy, the Applicant was not aware of legal provisions of limitation. She would further submit that due to insufficiency of funds, the Appeal could not be filed within a stipulated period. She would further submit that the acquired land was sole source of income and funds had to be arranged for filing Appeal.
3. Mr. Patil, learned AGP does not seriously oppose the Application as the proceedings arise out of land acquisition matter.
4. The Application pleads that the Applicant is a poor agriculturist

whose land has been acquired in the year 1996 and that acquired land was sole source of income for the Applicant. It is further pleaded that due to insufficiency of funds, the money could not be arranged for professional charges and Court fees which have led to delay in filing the present Appeal. The explanation of illiteracy, poverty has been held to be sufficient cause for condonation of delay. In the present case, the pleadings sufficiently explain the delay of 1 year and 34 days and the delay is required to be condoned, and is hereby condoned.

5. Interim Application stands allowed.

[Sharmila U. Deshmukh, J.]