

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 2755 OF 2025.

IN

FIRST APPEAL NO. 251 OF 2025.

Mumbai International Airport Pvt. Ltd.

...Applicant

IN THE MATTER BETWEEN

Mr. Ashok Ramesh Bohat

... Appellant

Versus

Airport Authority of India & Anr.

...Respondents.

WITH

INTERIM APPLICATION NO. 2760 OF 2025.

IN

FIRST APPEAL NO. 254 OF 2025.

WITH

INTERIM APPLICATION NO. 2784 OF 2025.

IN

FIRST APPEAL NO. 249 OF 2025.

WITH

INTERIM APPLICATION NO. 2780 OF 2025.

IN

FIRST APPEAL (ST) NO. 36426 OF 2024.

WITH

INTERIM APPLICATION NO. 2787 OF 2025.

IN

FIRST APPEAL NO. 250 OF 2025.

WITH

INTERIM APPLICATION NO. 2774 OF 2025.

IN

FIRST APPEAL (ST) NO. 36554 OF 2024.

WITH

INTERIM APPLICATION NO. 2790 OF 2025.

IN

FIRST APPEAL NO. 246 OF 2025.
WITH
INTERIM APPLICATION NO. 2794 OF 2025.
IN
FIRST APPEAL NO. 245 OF 2025.
WITH
INTERIM APPLICATION NO. 2750 OF 2025.
IN
FIRST APPEAL NO. 252 OF 2025.
WITH
INTERIM APPLICATION NO. 2782 OF 2025.
IN
FIRST APPEAL (ST) NO. 36407 OF 2024.
WITH
INTERIM APPLICATION NO. 2788 OF 2025.
IN
FIRST APPEAL (ST) NO. 36409 OF 2024.
WITH
INTERIM APPLICATION NO. 2791 OF 2025.
IN
FIRST APPEAL NO. 247 OF 2025.
WITH
INTERIM APPLICATION NO. 2770 OF 2025.
IN
FIRST APPEAL NO. 253 OF 2025.
WITH
INTERIM APPLICATION NO. 2773 OF 2025.
IN
FIRST APPEAL (ST) NO. 36420 OF 2024.
WITH
INTERIM APPLICATION NO. 2789 OF 2025.
IN
FIRST APPEAL (ST) NO. 36412 OF 2024.
WITH
INTERIM APPLICATION NO. 2776 OF 2025.
IN
FIRST APPEAL (ST) NO. 36414 OF 2024.

WITH
INTERIM APPLICATION NO. 2768 OF 2025.
IN
FIRST APPEAL (ST) NO. 36401 OF 2024.
WITH
INTERIM APPLICATION NO. 2765 OF 2025.
IN
FIRST APPEAL (ST) NO. 36405 OF 2024.
WITH
INTERIM APPLICATION NO. 2767 OF 2025.
IN
FIRST APPEAL NO. 244 OF 2025.
WITH
INTERIM APPLICATION NO. 2761 OF 2025.
IN
FIRST APPEAL (ST) NO. 36403 OF 2024.
WITH
INTERIM APPLICATION NO. 2771 OF 2025.
IN
FIRST APPEAL (ST) NO. 36416 OF 2024.
WITH
INTERIM APPLICATION NO. 2785 OF 2025.
IN
FIRST APPEAL NO. 256 OF 2025.
WITH
INTERIM APPLICATION NO. 2781 OF 2025.
IN
FIRST APPEAL (ST) NO. 36460 OF 2024.
WITH
INTERIM APPLICATION NO. 2777 OF 2025.
IN
FIRST APPEAL (ST) NO. 36423 OF 2024.
AND
INTERIM APPLICATION NO. 2793 OF 2025.
IN
FIRST APPEAL (ST) NO. 32446 OF 2024.

Mumbai International Airport Pvt. Ltd.

...Applicant

IN THE MATTER BETWEEN

Ms. Bhavisha Odedra

... Appellant

Versus

Airport Authority of India & Anr.

...Respondents.

WITH
INTERIM APPLICATION NO. 2795 OF 2025.
IN
FIRST APPEAL NO. 84 OF 2025.
WITH
INTERIM APPLICATION NO. 2796 OF 2025.
IN
FIRST APPEAL (ST) NO. 32442 OF 2024.

Mr. Vikaram Nankani Senior Advocate a/w Mr. Chirag Kamdar, Ms. S. Maitra, Ms. Samruddhi Mali i/by Wadia Ghandy for the Applicants.

Mr. K. J. Dhoke i/by Nitin Satpute, for the Appellant.

Adv. Shilpa Kapil and Adv. Chidanand Kapil, Adv. Chandani Bavishi and Adv. Priti Karbhari for the Respondent No. 1-AAI.

Adv. Rita K. Joshi (Thr VC) and Adv. Rahul Shetty for the Respondents/Ori Appellants.

Coram : Sharmila U. Deshmukh, J.

Date : February 24, 2025.

P. C. :

1. Interim Applications have been preferred seeking dismissal of the First Appeal on the ground that there are no Applications which are filed seeking condonation of delay.

2. Mr. Dhoke, learned Counsel appearing for the Respondent would submit that though the Appeals have been filed beyond period of 15 days, the same are within the outer limit of 30 days as

contemplated by Section 28K of the Airports Authority of India Act, 1994 (**"AAI Act"**) and it is not necessary for separate Application to be filed. He submits that even upon oral request the delay can be condoned. He submits that as the Appeals are listed on 28th February, 2025 for hearing, upon oral request the delay may be condoned.

3. Mr. Nankani, learned Senior Advocate appearing for the Authority would submit to the orders of the Court. He would however submit that it was pointed out that there are no Applications filed for condonation of delay.

4. It is not disputed that the First Appeals have been preferred against the eviction orders beyond the period of 15 days. However the provisions of Section 28K of the AAI Act permit the Appeals to be filed beyond the period of 15 days upto a period of 30 days from the date of eviction orders, upon sufficient cause being shown. In the connected Appeals, it was brought to the notice of this Court that the Applicants had filed the Appeal through their association and thereafter upon objection being raised the Appeal through the Association came to be withdrawn and the individual appeals have been filed. As the Appeals have been preferred within a period of 30 days from the date of eviction order, there is sufficiency of cause shown for condonation of delay. For the purpose of application of Section 5 of the Limitation Act, it is not necessary that separate

written Application be filed and even upon oral request the delay can be condoned.

5. In light of the above, Interim Applications are disposed of by condoning the delay which is not beyond the period of 30 days from the date of eviction order. Interim Applications stand disposed of accordingly.

6. List all the Appeals along with all connected pending appeals on **28th February, 2025.**

[Sharmila U. Deshmukh, J.]