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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.8471 OF 2025
IN
FIRST APPEAL (L) NO.16058 OF 2025**

Municipal Corporation of Greater Mumbai .. Applicant

Versus

Abdul Rahim Ghaswala and Others. .. Respondents

Ms.Pallavi Khale i/b Ms.Komal Punjabi, Advocate for the Applicant

Mr.Pranav S.Nair, Advocate for the Respondent Nos.1 to 13.

Mr.A.R.Patil, Addl.G.P. for the Respondent Nos.14/State.

**CORAM: B. P. COLABAWALLA &
FIRDOSH P. POONIWALLA, JJ.**

DATE: AUGUST 1, 2025

P. C.

1. The above Interim Application is filed seeking a condonation of delay of 57 days in filing the above First Appeal.

2. The above First Appeal is filed under the provisions of Section 74 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Section 74(1) stipulates that the

Requiring Body or any person aggrieved by the Award passed under Section 69 by the Land Acquisition, Rehabilitation and Re-settlement Authority, may file an Appeal to the High Court within 60 days from the date of the Award. The proviso to Section 74(1) stipulates that the High Court may, if it is satisfied that the Appellant was prevented by sufficient cause from filing the Appeal within the aforesaid period, allow it to be filed within a further period not exceeding 60 days. In other words, beyond a total period of 120 days, the High Court has no power to condone the delay.

3. In the facts of the present case, we find that even if one has to calculate the period of limitation from the date of the Award, and not from the date when the same was received by the Appellant, even then, the above Appeal has been filed within the prescribed period of 120 days. We therefore, do not find any impediment in condoning the delay, if any, for the reasons more particularly set out in the Interim Application. The delay is accordingly condoned.

4. Now that the delay is condoned, the Advocates for the Applicant/Appellant shall remove all other office objections, if any, within a period of two weeks from today, failing which the above Appeal shall stand dismissed without further reference to the Court.

5. The above Interim Application is disposed of in the aforesaid terms. However, there shall be no order as to costs.

6. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[FIRDOSH P. POONIWALLA, J.]

[B. P. COLABAWALLA, J.]