

MJ Jadhav

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL (ST) NO. 33422 OF 2025
WITH
INTERIM APPLICATION NO. 12503 OF 2025
IN
FIRST APPEAL (ST) NO. 33422 OF 2025**

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Parvatibai Mahadu Thakur And Ors. ... Appellants/Applicants
Vs.

The State Of Maharashtra Through
The Special Land Acquisition Officer
(Minor Irrigation) And Anr. ... Respondents

Smt. Deepa Punde i/b Sachin Punde for the Appellants/Applicants.

Mr. Dinesh J. Haldankar, AGP for the State.

Ms. Leena Patil for Respondent No.2.

CORAM : GAURI GODSE, J.

DATED : 17th OCTOBER 2025

ORDER:

INTERIM APPLICATION NO. 12503 OF 2025

1. This application is for condonation of delay in filing the first appeal. First appeal is filed by the original claimants for enhancement of the compensation amount granted in land acquisition reference.

2. Learned counsel for the applicant submits that the applicants are poor agriculturists whose lands were acquired in 1995. Except for the lands that were acquired the applicants had no other source of income. Hence, the applicants were unable to arrange for funds to challenge the order. She submits that the covid restrictions in the intervening period added to the financial difficulties of the applicants. Hence, they were unable to file an appeal within time. She points out that the award amount was deposited only on 14th February 2024. She therefore submits that thereafter the applicants could arrange for the funds to file this first appeal. She thus, submits that the delay is unintentional and therefore, the application be allowed and the applicants be permitted to file the appeal for enhancement of the amount.

3. Learned counsel for respondent nos.2 opposes the prayer for delay condonation on the ground that the reasons are vague and not supported by any material. She submits that deposit of the award amount at a belated stage cannot be accepted as a sufficient ground to condone delay, which is more than six years.

4. I have perused the papers of the application and the reasons for delay and steps taken to file the appeal. The reasons are explained in detail in paragraphs 2 to 5 of the application. I do not

see any reason to disbelieve the grounds raised in the application for condonation of delay. There is no dispute on the dates mentioned in the application regarding the lands acquired and the actual amount deposited. Hence, in the facts and circumstances of the case and for the reasons stated in the application, delay is condoned and the application is allowed in terms of prayer clause (a).

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5. Admit.
6. Learned counsel for the respondents waives notice.
7. Call for records and proceedings.
8. Printing is dispensed with.
9. Learned advocate for the appellants shall file private paper-book within a period of one year from today.
10. Learned advocate for the appellants shall remove office objections, if any and get the first appeal registered within eight weeks from today.

(GAURI GODSE, J.)