

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.12027 OF 2025
WITH
WRIT PETITION NO.3467 OF 2026

Godrej & Boyce Manufacturing Company Limited ... Petitioner
Vs.
Collector, Mumbai Suburban District and others ... Respondents

Mr. Vineet Naik, Senior Advocate with Mr. Bhushan Deshmukh i/b. Bachubhai Munim & Co. for Petitioner in both the Petitions.

Dr. Dhruti Kapadia, AGP for Respondent Nos.1, 2 and 4-State in both the Petitions.

Mr. Anil Singh, Additional Solicitor General a/w. Mr. Prakash Pandey, Ms.Dhruvi Patni, Ms. Savita Rami, Mr. Adarsh Vyas, Mr. Jainendra Sheth, Mr. Rajdatt Nagre, Mr. Krishnakant Deshmukh and Ms. Rama Gupta for Respondent No.3-NHSRCL in both the Petitions.

Ms. Arya Ambre, Law Officer, Bandra Collector Office, present.

Mr. Rajesh Yadav, SLAO-7 from Collector Office, present.

**CORAM : MANISH PITALE &
SHREERAM V. SHIRSAT, JJ.**

Reserved on : **APRIL 09, 2026**

Pronounced on: **APRIL 24, 2026**

ORDER : (*Per Justice Manish Pitale*)

. The petitioner company was the owner of the property that was acquired by land acquisition award dated 15.09.2022 passed by the respondent Deputy Collector (Land Acquisition) No.7, Mumbai under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as 'Act of 2013'). The petitioner company has filed these two petitions being aggrieved by orders of the respondent Land Acquisition Rehabilitation and Resettlement Authority (hereinafter referred to as 'LARR Authority').

2. Writ Petition No. 12027 of 2025 is filed for challenging order dated 21.08.2025 passed by the LARR Authority, allowing application filed by respondent Nos.1 and 2 i.e. the Collector, Mumbai and the Deputy Collector (Land Acquisition) No.7, Mumbai for setting aside order dated 15.03.2024, whereby the said Authority had directed that the proceedings would continue *ex-parte* against the said respondents and also allowing their application for condoning delay and taking their written statement on record. Writ Petition No.3467 of 2026 has been filed to challenge order dated 18.02.2026 passed by the LARR Authority, allowing application filed by the respondent No.3 i.e. the National High Speed Rail Corporation Limited (hereinafter referred to as the 'respondent Corporation') for amendment of reply / written statement to the reference, particularly to add the objection regarding limitation.

3. According to the petitioner, both the orders, challenged in the writ petitions, are unsustainable on facts as well as law. It is submitted that the respondents were present before the LARR Authority from the year 2023 and their aforesaid applications have been allowed belatedly to the prejudice of the petitioner and this has the effect of delaying and derailing the proceedings before the LARR Authority.

4. The subject property is located in Village Vikhroli, Taluka Kurla, Dist. Mumbai Suburban, admeasuring approximately 10 acres, which was acquired by the aforementioned award dated 15.09.2022. The petitioner had filed Writ Petition No.3537 of 2019, challenging the acquisition undertaken by the respondents. This Court by judgment and order dated 09.02.2023 dismissed the said writ petition. The petitioner filed Special Leave Petition (Civil) No.3583 of 2023. The special leave petition was dismissed on 24.02.2023. However, the Supreme Court observed that upon the petitioner filing a reference for enhancement of

compensation, the jurisdictional Court shall dispose of the reference within a period of six months.

5. Accordingly, the petitioner filed reference application before the respondent Collector on 28.02.2023. The application remained pending and hence, the petitioner was constrained to approach the LARR Authority for a direction to the Collector to make the reference. On 23.06.2023, the LARR Authority dismissed the application, on the ground that it did not have jurisdiction to give such a direction to the Collector. The petitioner was constrained to file Writ Petition (L) No.19756 of 2023 before this Court on 18.07.2023, which was disposed of by an order dated 11.09.2023, directing the respondent No.1 Collector to decide the application of the petitioner within 30 days.

6. On 25.09.2023, the respondent No.1 passed an order. There is a dispute between the petitioner and respondents, as to whether the said order specifically condoned the delay for placing the reference before the LARR Authority. Be that as it may, on 10.10.2023, the respondent No.1 Collector made the reference under Section 64 of the Act of 2013 before the LARR Authority, which at that point in time, was located at Aurangabad. On 18.10.2023, the LARR Authority issued notice to respondent Nos.1 and 2 in the reference, posting the same for consideration on 03.11.2023. On the said date, respondent Nos.1 and 2 i.e. the Collector and the Deputy Collector (Land Acquisition) failed to appear before the LARR Authority and hence, a further notice was issued. On 06.12.2023, the petitioner filed its application for amendment of the reference. By an order dated 02.02.2024, the LARR Authority allowed the application for amendment. By way of amendment, the petitioner added detailed pleadings and referred to certain further sale instances to ask for further enhanced amount of compensation. On 02.05.2024, the petitioner filed second application for amendment,

further seeking an increase in the quantum of the enhanced compensation, to the tune of Rs.1972 crores in the light of the report of an expert valuer, which was also sought to be placed on record. On 10.05.2024, this second amendment was also granted.

7. It is relevant to note that by the first amendment, the respondent No.3 Corporation i.e. the beneficiary of the acquisition was added as a party. The LARR Authority issued further notices to respondent Nos.1 to 3 and despite service of such notices, respondent Nos. 1 and 2 failed to appear before the LARR Authority. Respondent No.3 appeared and filed its reply / written statement on 05.04.2024.

8. It is the case of the petitioner that while respondent Nos.1 and 2 failed to appear before the LARR Authority for as many as 9 hearings, respondent No.3 Corporation was represented by its Advocate. In the meanwhile, due to the failure on the part of respondent Nos.1 and 2 to appear before the LARR Authority, by the order dated 15.03.2024, it was directed that the matter would proceed *ex-parte* against respondent Nos.1 and 2.

9. It is in this backdrop that on 19.12.2024, the respondent No.2 Deputy Collector (Land Acquisition) addressed a letter to the Registrar of the LARR Authority at Aurangabad, stating that the award issued by the said respondent may be treated as its written statement and that respondent Nos.1 and 2 do not wish to file any further written statement. The petitioner heavily relied upon the said letter in the present proceedings. It is also the case of the petitioner that in further hearings also, respondent Nos.1 and 2 remained unrepresented and that the respondent No.3 was present through its Advocate. On 12.03.2025, the reference was transferred to LARR Authority at Nashik. At this stage, in April 2025, respondent Nos.1 to 3 filed six applications, including the applications leading to orders that have been challenged in these two

writ petitions. The impugned orders were passed on application seeking setting aside of *ex-parte* order (exhibit 105); application seeking condonation of delay in filing written statement and for taking written statement on record of respondent Nos.1 and 2 (exhibit 107); as also application filed by respondent No.3 seeking amendment of its reply / written statement, particularly to include the ground of limitation (exhibit 103).

10. On 21.08.2025, the LARR Authority passed the impugned order on exhibits 105 and 107, setting aside the *ex-parte* order dated 15.03.2024, condoning delay in filing written statement and accepting the written statement of respondent Nos.1 and 2 on record. The petitioner prayed for stay of the said order, which the LARR authority granted for a period of four weeks. On 12.09.2025, the petitioner filed Writ Petition No.12027 of 2025 to challenge the said impugned order dated 21.08.2025. On 17.09.2025, this Court continued the said stay granted by the LARR Authority, which has continued to operate during the pendency of the said writ petition.

11. On 18.02.2026, the LARR Authority passed the second impugned order, allowing exhibit 103, being the application filed by respondent No.3 to amend its reply / written statement to incorporate plea of limitation. Aggrieved by the same, the petitioner filed Writ Petition No.3467 of 2026. According to the petitioner, both the impugned orders are unsustainable. Upon completion of pleadings in the writ petitions, the same were taken up for hearing.

12. Mr. Vineet Naik, learned senior counsel appearing for the petitioner in both the writ petitions submitted that the LARR Authority committed a grave error in passing the impugned orders. It was submitted that the order dated 15.03.2024 was passed by the LARR Authority at Aurangabad to proceed against respondent Nos.1 and 2 *ex-*

parte due to their repeated absence in the reference proceedings under Section 64 of the Act of 2013. The application for setting aside the *ex-parte* order was filed more than a year after the said order dated 15.03.2024 and in the interregnum also, the respondent Nos.1 and 2 had failed to appear before the LARR Authority. It was submitted that before the application for setting aside the *ex-parte* order was filed, by letter dated 19.12.2024, respondent No.2 informed the Registrar of the LARR Authority at Aurangabad that the award itself be treated as the written statement of the respondent Nos.1 and 2 and further that the respondents did not wish to file their written statement. It was submitted that in this backdrop, the said applications for setting aside the *ex-parte* order and for permission to take written statement of respondent Nos.1 and 2 on record, ought not to have been entertained by the LARR Authority. It was submitted that in any case, respondent Nos.1 and 2 had failed to show sufficient cause for considering their prayer for setting aside *ex-parte* order and hence, there was no question of taking their written statement on record.

13. By placing reliance on judgement of this Court in the case of *Kamalabai Bhaskar Mule (dead) through Legal Heirs and others Vs. Special Land Acquisition Officer (No.1), Nashik and others, 2021 (1) Mh.L.J. 521*, it was submitted that the reference proceedings before the LARR Authority could not be treated as a suit and therefore, strict rules of pleadings and consequences of non-filing of written statement were not applicable to such proceedings. It was submitted that since the award issued by respondent No.2 is the offer made to claimants like the petitioner herein, the respondent Nos.1 and 2 could not state anything beyond the said award in their reply / written statement. It was submitted that the aforesaid letter dated 19.12.2024 sent by the respondent No.2 was in line with the said position of law, and that therefore, there was no question of permitting the said respondents to file their written statement

after such a long period of delay. On this basis, it was submitted that the impugned order dated 21.08.2025 passed by the LARR Authority was based on erroneous appreciation of facts as well as law.

14. On the second impugned order dated 18.02.2026, it was submitted that the respondent No.3, having already filed its written statement on 05.04.2024, could not have been permitted to amend the same after almost two years. It was submitted that in any case, plea of limitation could not be raised before the LARR Authority. It was asserted that the only authority under the provisions of the Act of 2013 to consider the question of limitation and to condone delay, if any, was the respondent No.1 Collector and that the LARR Authority does not have jurisdiction to consider the said question. Reliance was placed on judgement of the Supreme Court in the case of *Deputy Commissioner and Special Land Acquisition Officer Vs. S. V. Global Mill Limited*, **2026 SCC OnLine SC 171**, to contend that the respondent No.1 Collector, under Section 64 of the Act of 2013, exercises an executive function, and therefore, once the reference is made by the Collector to the LARR Authority, the said Authority does not have jurisdiction to go into the question of limitation. It was submitted that this Court followed the said position of law in a recent judgement in the case of *Hirabai Sonu Wanjari (Kale) and others Vs. State of Maharashtra and others* (**judgement and order dated 10.02.2026 passed in Writ Petition No.1508 of 2026**), thereby showing that the LARR Authority has no jurisdiction to go into the question of limitation and that the reference has to be decided on merits. Much emphasis was placed on order dated 25.09.2023 passed by the respondent No.1 Collector, holding that there was no delay in making the reference. On this basis, it was submitted that there was no question of allowing respondent No.3 to amend its written statement to raise the plea of limitation.

15. It was submitted that in any case, there was no question of delay in the light of the fact that writ petition challenging the acquisition proceeding, and thereafter the special leave petition filed by the petitioner were pursued before this Court and the Supreme Court, thereby showing that there was no delay in approaching the respondent No.1 Collector for reference. In this regard, reliance was placed on judgement of the Supreme Court in the case of *Manharlal Shivilal Panchal and others Vs. Deputy Collector & Special Land Acquisition Officer and others*, **2022 SCC OnLine SC 1707**. It was submitted that therefore, the LARR Authority had committed a jurisdictional error in passing the impugned order dated 18.02.2026.

16. It was submitted that the LARR Authority also failed to appreciate that the reference proceedings were delayed due to the recalcitrant approach of the respondents and that they could not be permitted to take benefit of their own wrong. On this basis, it was submitted that the writ petitions ought to be allowed and the impugned orders deserve to be set aside.

17. Dr. Dhruti Kapadia, learned AGP appearing on behalf of respondent Nos.1, 2 and 4 - State submitted that the LARR Authority had correctly allowed the application for setting aside the *ex-parte* order and for taking the written statement of the said respondents on record. It was submitted that although the award is indeed the offer made by the said respondents as regards quantum of compensation, in the light of the reference application of the petitioner being amended twice, the said respondents were entitled to file their written statement. It was further submitted that in any case, the said respondents had made out sufficient cause as to why they could not file their written statement earlier. In this context, attention of this Court was invited to the contents of the application seeking condonation of delay and for permission to file

written statement, specifically the portion where it was asserted that no official or institutional mechanism had been established for representing the State of Maharashtra, particularly the office of the Collector before the newly constituted LARR Authority. It was submitted that no prejudice was caused to the petitioner by the impugned order dated 21.08.2025 passed by the LARR Authority and on this basis, it was submitted that Writ Petition No.12027 of 2025 deserved to be dismissed.

18. Mr. Anil Singh, learned ASG appearing on behalf of respondent No.3 Corporation vehemently opposed the prayer made in Writ Petition No.3467 of 2026. It was submitted that as per settled law, the LARR Authority allowed the prayer for amendment of the written statement. It was repeatedly held by the Supreme Court and this Court that Courts have to be liberal in permitting amendment of written statements. The proceeding before the LARR Authority, being an original proceeding, the said position of law clearly applies, and therefore, the petition deserves to be dismissed. In support of the said contention, reliance was placed on judgements of the Supreme Court in the cases of *B. K. Narayana Pillai Vs. Parameswaran Pillai and another*, **(2000) 1 SCC 712**; *Rajesh Kumar Aggarwal and others Vs. K. K. Modi and others*, **(2006) 4 SCC 385**; *Baldev Singh and others Vs. Manohar Singh and another*, **(2006) 6 SCC 498**; and *Life Insurance Corporation of India Vs. Sanjeev Builders Private Limited and another*, **(2022) 16 SCC 1**.

19. As regards the jurisdiction of the LARR Authority to consider the question of limitation, it was submitted that the Supreme Court had categorically held, in a number of judgements, including judgement in the case of *Mohammed Hasnuddin Vs. State of Maharashtra*, **(1979) 2 SCC 572**, that the reference court has the jurisdiction to decide the question as to whether the reference was made within limitation. This Court in the case of *Shantaram Ganesh Shenoy Vs. Special Land*

Acquisition Officer, Ratnagiri, 2006 SCC OnLine Bom 314 followed the said position of law.

20. It was submitted that since the LARR Authority, upon enactment of the Act of 2013, replaced the Court as regards consideration of reference proceedings, the said position of law clearly applied and therefore, Writ Petition No.12027 of 2025 filed by the petitioner also deserves to be dismissed. It was submitted that in any case, allowing a plea of limitation to be raised does not mean that the petitioner cannot dispute the same, and therefore, no prejudice has been caused to the petitioner.

21. It was specifically submitted that the order dated 25.09.2023 merely recorded the contention of the petitioner and it could not be said to be condoning delay in making the reference. On this basis, it was submitted that there was no substance in the contentions raised on behalf of the petitioner.

22. This Court has considered the rival submissions in the light of the voluminous documents filed in the two writ petitions. A perusal of the impugned order dated 21.08.2025, subject matter of challenge in Writ Petition No.12027 of 2025, shows that the LARR Authority allowed the applications for setting aside *ex-parte* order and for condoning delay and taking the written statement of respondent Nos.1 and 2 on record. A perusal of the same shows that the LARR Authority referred to the contentions of the rival parties as also the judgements relied upon by them and it came to a considered conclusion that allowing the applications would be in the interest of justice, while rejecting the same would not be appropriate. In this context, it was also noted that the reference application itself was permitted to be amended on two occasions.

23. A perusal of the orders allowing the amendment applications moved on behalf of the petitioner shows that the LARR Authority permitted the petitioner to incorporate pleadings and prayers to substantially increase the claim towards enhanced compensation raised on behalf of the petitioner. The record shows that originally, in the reference application under Section 64 of the Act of 2013, the petitioner relied upon the proceedings of the District Level Committee to claim enhanced compensation at Rs.572 crores. Upon the two amendments of the reference application being granted, the claim had blown up to approximately Rs.1972 crores. It cannot be said that this was a wholly irrelevant consideration when the LARR Authority thought it fit to set aside the *ex-parte* order and to allow the written statement of respondent Nos.1 and 2 to be taken on record.

24. On the aspect of sufficient cause being made out by the said respondents, we are inclined to accept the contention of the learned AGP that since official and institutional mechanism for representing the State before the newly constituted LARR Authority was yet to be established and notified, the exercise of appearance on behalf of the Collector and the Special Land Acquisition Officer as also the drafting of pleadings could not be undertaken in reasonable time. It was specifically pleaded before the LARR Authority that the exercise of identifying and appointing special counsel for handling the matters before the LARR Authority was delayed, due to which steps could not be taken for representation of respondent Nos.1 and 2 in the proceedings initiated by the petitioner and reply / written statement could not be placed on record in time. It was specifically pleaded before the LARR Authority that drafting of written statement required a detailed examination of the voluminous record and co-ordination between the departments so as to respond to the detailed grounds taken in the reference application of the petitioner. This Court is of the opinion that there were sufficient

pleadings placed on record on behalf of respondent Nos.1 and 2 to press their prayer for setting aside the *ex-parte* order, condoning delay in filing written statement and for taking the same on record. The approach adopted by the LARR Authority in this regard cannot be said to be erroneous. In any case, the petitioner has not suffered any prejudice. Even if the respondent No.2 had sent the aforesaid letter dated 19.12.2024 to the Registrar of the LARR Authority, stating that respondent Nos.1 and 2 would not file their written statement and that the award itself could be treated as the written statement, it cannot be said that the LARR Authority was denuded of its power from considering and allowing the said applications for setting aside the *ex-parte* order, condoning the delay in filing written statement and for taking the same on record. We find that reliance placed by the learned AGP on the judgement of the Supreme Court in the case of *G. P. Srivastava Vs. R. K. Raizada and others*, (2000) 3 SCC 54, in the context of 'sufficient cause' is appropriate.

25. We also find that the petitioner cannot insist that the written statement of the respondent Nos.1 and 2 ought not to be brought on record on the basis of the position of law laid down by a learned Single Judge of this Court in the case of **Kamalabai Bhaskar Mule (dead) through Legal Heirs and others Vs. Special Land Acquisition Officer (No.1), Nashik and others** (*supra*). Even if it is to be stated that the reference proceedings before the LARR Authority need not strictly adhere to the rules of pleadings in a civil suit, considering the fact that they are original proceedings and in the light of the reference of the petitioner being amended on two occasions, no prejudice is caused to the petitioner if the written statement of respondent Nos.1 and 2 has been taken on record. Hence, we are not inclined to interfere with the impugned order dated 21.08.2025.

26. As regards impugned order dated 18.02.2026, we find that the LARR Authority permitted the respondent No.3 Corporation to amend the written statement in order to raise the plea of limitation. The petitioner contends that such an amendment could not be permitted as the LARR Authority does not have jurisdiction to decide the question of limitation. We are unable to agree with the said contention. We find substance in reliance placed on behalf of the respondent No.3 Corporation on the aforementioned judgements in the cases of **Mohammed Hasnuddin Vs. State of Maharashtra** (*supra*) and **Shantaram Ganesh Shenoy Vs. Special Land Acquisition Officer, Ratnagiri** (*supra*), wherein it was held that the reference court under Section 18 of the Land Acquisition Act, 1894, had the jurisdiction to decide the question as to whether the reference before the Collector had been made within limitation or not. Since the LARR authority under the provisions of the Act of 2013 has replaced the Court for considering reference applications under Section 64 of the Act of 2013, the said position of law applies with equal force in the context of the LARR Authority also.

27. This Court in the aforesaid judgement in the case of **Shantaram Ganesh Shenoy Vs. Special Land Acquisition Officer, Ratnagiri** (*supra*) followed the position of law clarified by the Supreme Court in the aforementioned judgement in the case of **Mohammed Hasnuddin Vs. State of Maharashtra** (*supra*), to categorically hold that the reference court had the jurisdiction to decide whether the reference application was made within limitation. We are of the opinion that it would be illogical to hold that while the LARR Authority has the jurisdiction to decide the reference on the question of enhancement of compensation on merits, it does not have jurisdiction to decide the question of limitation. This is for the reason that the LARR Authority certainly has the jurisdiction to decide whether it can enter upon

reference and this aspect goes to the very root of the matter. The anomaly in the contention raised on behalf of the petitioner becomes evident from the settled position of law that the issue of limitation can be raised at any point of time as it impinges upon the very exercise of jurisdiction. Yet, if the contention raised on behalf of the petitioner is accepted, only the LARR Authority would not have the jurisdiction to consider the said issue. In other words, in a challenge raised to the order of the LARR Authority, the question of limitation could be considered and indeed even in a further challenge, but the LARR Authority, despite being the original authority, would not have such jurisdiction. This cannot be countenanced.

28. We also find no substance in the contention raised on behalf of the petitioner that since the Supreme Court in the case of **Deputy Commissioner and Special Land Acquisition Officer Vs. S. V. Global Mill Limited** (*supra*) and followed by this Court in the case of **Hirabai Sonu Wanjari (Kale) and others Vs. State of Maharashtra and others** (*supra*) have held that since the Collector under Section 64 of the Act of 2013 exercises an executive function, any plea regarding limitation cannot be raised before the LARR Authority. We do not find that the aforementioned judgements of the Supreme Court and this Court support such a proposition in any manner. We are unable to agree with the contention raised on behalf of the petitioner that Section 64 of the Act of 2013, being a complete Code in itself, shows that only the Collector has the power to decide the question as to whether the reference is made within limitation or not, and that the correctness of the conclusion reached by the Collector on the question of limitation cannot be assailed before the LARR Authority.

29. Once it is held that the LARR Authority indeed has jurisdiction to go into the question of limitation, the opportunity granted to respondent

No.3 Corporation to raise the plea of limitation by way of amendment of its written statement, merely leads to the issue of limitation being raised before the LARR Authority. Allowing the respondent No.3 Corporation to raise such plea of limitation does not mean that its stand has been accepted by the LARR Authority. The petitioner clearly has an opportunity to contest the said issue and demonstrate that the reference was clearly within limitation. No prejudice is caused to the petitioner by the order 18.02.2026. Reliance placed on behalf of the petitioner on the judgement of the Supreme Court in the case of *Ambya Kalya Mhatre (dead) through LRs and others Vs. State of Maharashtra, (2011) 9 SCC 325* can also not take its case any further. In the said judgement, the Supreme Court considered the scheme of the Land Acquisition Act, 1894 and the fact that the award is merely an offer and the broad contours of reference proceedings. The said judgement does not aid the petitioner in showing any error committed by the LARR Authority, while passing the impugned order dated 18.02.2026.

30. Since the issue of limitation is yet to be contested and answered in the reference proceedings, we find that reliance placed on the judgement of the Supreme Court in the case of **Manharlal Shivlal Panchal and others Vs. Deputy Collector & Special Land Acquisition Officer and others** (*supra*) is also misplaced. As to whether the petitioner is justified in claiming that the reference was clearly within limitation in the light of the pendency of its writ petition challenging acquisition before this Court and the special leave petition filed before the Supreme Court, is an issue to be agitated before the LARR Authority and hence, this Court will not comment upon the same.

31. We find substance in the contention raised on behalf of respondent No.3 Corporation that the Supreme Court in the aforementioned judgements in the cases of **B. K. Narayana Pillai Vs.**

Parameswaran Pillai and another (*supra*), Rajesh Kumar Aggarwal and others Vs. K. K. Modi and others (*supra*), Baldev Singh and others Vs. Manohar Singh and another (*supra*) and Life Insurance Corporation of India Vs. Sanjeev Builders Private Limited and another (*supra*) has repeatedly laid down that hyper-technical approach ought not to be adopted while considering prayer for amendment of pleadings. It is settled position of law that while considering amendment of written statement, a more liberal approach is to be adopted as compared to when amendment of a plaint is sought. Applying the said position of law, in the present case, we find no error committed by the LARR Authority while passing the impugned order dated 18.02.2026. A perusal of the said order shows that while the language could have been better, the reasoning for allowing the application of respondent No.3 Corporation is contained in paragraph 9 of the said order. The LARR Authority correctly observed that the question of limitation is a mixed question of facts and law and on occasions, even in appeal, issue of limitation is framed and that therefore, no harm would be caused to the petitioner if the amendment was allowed. We find that the impugned order dated 18.02.2026 contains sufficient justifiable reasons for allowing the application for amending the reply / written statement filed on behalf of the respondent No.3 Corporation for including the plea of limitation. As noted hereinabove, no prejudice is caused to the petitioner on such an amendment being allowed.

32. We also find substance in the contention raised on behalf of the respondent No.3 as regards the contents of the order dated 25.09.2023. A perusal of the said order shows that the Collector, while considering the application moved by the petitioner under Section 64 of the Act of 2013, recorded the pleading of the petitioner that by excluding the period from 15.09.2023 to 24.02.2023, there was no delay as stated in paragraph 7 of the application. This period obviously referred to the pendency of the

writ petition before this Court and the special leave petition before the Supreme Court. Thereafter, the Collector simply recorded 'closed for orders / necessary submission to authority under Section 64'. It is not clear that as to whether the Collector actually held that there was no delay by excluding the said period. There is no specific finding in that regard. A perusal of the reference application forwarded to the LARR Authority shows that in Form 4 against column No.3 pertaining to the question 'whether the applicant has filed the application within the prescribed time period', the endorsement is recorded as 'no'. The forwarding letter from the respondent No.2 Deputy Collector (Land Acquisition) dated 10.10.2023 addressed to the Registrar of the LARR Authority, Aurangabad recorded that delay was condoned as per letter dated 19.05.2023 sent by the respondent No.1 Collector. Such material indeed indicates that the issue as to whether there was any delay and if so, whether it was condoned by the Collector needs to be thrashed out before the LARR Authority. This is another reason why we are not inclined to interfere with the impugned order dated 18.02.2026 passed by the LARR Authority.

33. We are of the opinion that reference proceedings, being original proceedings, wherein the parties lead evidence in support of their respective stands, once the LARR Authority has exercised discretion in a reasonable manner and allowed the applications filed by respondent Nos.1, 2 and 3, it would not be appropriate for this Court, exercising writ jurisdiction, to interfere with the same. All that the petitioner is now required to do is to contest the matter on merits and such a situation cannot be said to be prejudicial to it.

34. In view of the above, we find no merit in the writ petitions and accordingly, the writ petitions are dismissed. The interim orders operating in the writ petitions are vacated. The LARR Authority at

Nashik is directed to take up the reference proceedings and to decide the same expeditiously, and preferably within six months.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)

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