APHC010258692024

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3624]**
(Special Original Jurisdiction)

MONDAY, THE 2nd DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR

I.A.NOs.1 & 2 OF 2026

IN/AND

LAND ACQUISITION APPEAL SUIT NO: 66 OF 2026

Between:

Srmv Krishnam Raju **...APPELLANT**

AND

The Land Acquisition Officer And Special Deputy Collector **...RESPONDENT**

Counsel for the Appellant:

1. ERANKI PHANI KUMAR

Counsel for the Respondent:

1.

The Court made the following:

COMMON JUDGMENT:- *(per Hon'ble Sri Justice Ravi Nath Tilhari)*

Heard Ms. Vijaya Lakshmi, learned counsel representing Sri Eranki Phani Kumar, learned counsel for the appellant.

2. This appeal has been filed by the appellant/claimant, being aggrieved by the common order dated 12.03.2018 passed in L.A.O.P.No.212 of 2007 and batch (L.A.O.P.Nos.210 of 2007 and 213 of 2007), on the file of the Court of the learned Principal Senior Civil Judge, Rajamahendravaram.

3. The respondent/referring officer made references under Section 18 of the Land Acquisition Act, 1894 (for short, 'the Act') before the learned Principal Senior Civil Judge, Rajamahendravaram, in L.A.O.P.No.210 of 2007 and batch, seeking determination of the true and correct market value of the lands belonging to the claimants, which were acquired for the purpose of the Left Main Canal of the Indira Sagar Project. The references were answered *vide* common order dated 12.03.2018. The operative portion of the common order reads as under :

> *"16. In the result, these references are answered as under:*
> *1) The market value of the land acquired from the claimants is enhanced to Rs.2,00,000/- per acre.*
> *(2) Additional market value at 12%p.a. u/Sec.23-1A of the Act, from the date of notification till the date of taking possession or passing the award whichever is earlier.*
> *(3) Solatium at 30%*
> *(4) Interest at 9% for one year from the date of the award i.e. 29.12.2005 and thereafter at 15% p.a till the date of realization.*

The Respondent/State is directed to deposit the amount within three months from the date of this award."

4. The appeal was filed along with I.A.No.2 of 2026, seeking condonation of delay of 2,204 days in filing the appeal.

5. The appeal was filed along with I.A.No.1 of 2026, seeking condonation of delay of further 388 days in re-presenting the appeal.

6. Learned counsel for the appellant referred to paragraph No.4 of the affidavit filed in support of the I.A.No.2 of 2026 and contended that sufficient cause has been shown therein for condoning the delay of 2,204 days. Paragraph No.4 of the affidavit reads as follows:

"4. I humbly state that, the lower appellate court partly allowed my appeal L.A.O.P No. 212 of 2007 dt. 12.03.2018 and the order copy was applied late and received on 20.11.2019. Later, the issue of State High Court bifurcation has started and we could not contact our advocate as we were confused about the filing of appeal in the High Court for the state of Andhra Pradesh or in the state of Telangana, since the High court of Andhra Pradesh continued for some time at Hyderabad. Meanwhile, the pandemic attacked the entire world, because of which we could not procure the court fee amount for filing the appeal. I was tested COVID positive and had to undergo medical procedures for more than 6 months and all of the above mentioned reasons got accumulated because of which I could not file the appeal within the stipulated time. The non-filing of appeal within the prescribed period of limitation is neither willful nor wanton but had occasioned due to the reasons mentioned above and my valuable

rights are at stake unless this Hon'ble court shows indulgence by condoning the delay as otherwise, I would suffer serious prejudice."

7. We are not convinced with the cause shown by the appellant. The same does not constitute sufficient cause to condone the long delay of 2,204 days in filing the appeal. The appeal has been filed with an inordinate delay and further there is delay of 388 days in re-presentation of the appeal, for which, also no satisfactory cause is coming forth.

8. The bifurcation of the State had taken place in the year 2018–2019, and the High Court of Andhra Pradesh commenced functioning with effect from 01.01.2019. So far as the plea relating to the COVID-19 pandemic is concerned, the period excluded for the purpose of limitation was only up to 28.02.2022. The alleged confusion in the mind of the appellant, as stated in paragraph No.4 of the affidavit, could have been removed, and the appellant could have ascertained the correct factual position by seeking the legal advice/opinion regarding the filing of the appeal before the High Court for the State of Telangana or the High Court of Andhra Pradesh. Further, no material has been placed on record in support of the submission with regard to the other cause alleged in the affidavit. Such an inordinate delay is reflecting of inaction and want of bonafides.

9. We do not find sufficient cause either to condone the delay in re-presentation of the appeal or the delay in filing the appeal. Accordingly, I.A.Nos.1 and 2 of 2026 are dismissed.

10. In view of the dismissal of I.A.Nos.1 and 2 of 2026, the appeal is also dismissed as barred by limitation.

No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending, shall also stand closed.

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RAVI NATH TILHARI, J

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ALAPATI GIRIDHAR, J

Date: 02.11.2026
RPD.

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THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI
AND

THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR

(DISMISSED AS BARRED BY LIMITATION)

I.A.NOs.1 & 2 OF 2026

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RPD.