

ORDER BELOW EXH.20 IN L.A.R. NO. 101/2022

1. This application is filed by applicant for condonation of delay in bringing the L.Rs on record. The applicants contended that original claimant No. 2 Jairam Rambhau Gaikwad died on 08/02/2023. Due to the ignorance they could not file their application within limitation. Hence there was delay in filing the application. Thus, prayed that delay be condoned.

2. Respondent resisted this application and filed his reply at **Exh.28**. They contended that there is huge delay to file this application. The grounds mentioned are not satisfactory. Hence, prayed that application be rejected.

3. Considering rival contentions of both the parties following points arise for my determination and I record my findings thereon for the reasons mentioned below.

No.	POINTS	FINDINGS
1	Whether application deserves to be allowed ?	... Yes
2	What Order ?	... As per order.

:: REASONS ::

POINT NO.1. :-

4. Heard both the learned Advocates. Perused the record. This Reference Petition is under section 28A(3) of the Land Acquisition Act. During the pendency of Reference Petition claimant No. 2 Jairam Rambhau Gaikwad died on 08/02/2023. There is a

delay in filing the present application. This is a land acquisition petition. Hence, their legal heirs needs to be brought on record.

5. Considering the nature of matter and in the interest of justice to decide the Reference petition on merits it is necessary to bring the legal heirs of deceased claimant No. 2 Jairam Rambhau Gaikwad by condoning the delay. Hence, I am of the opinion that application is liable to be allowed. Accordingly, I answer point No.1 in the positive and in answer to point No.2, I pass the following order.

:: ORDER ::

1. Application Exh.20 is allowed.
2. Delay caused is hereby condoned.

Panvel.
Date : 03-05-2025.

(Nayomi P Pawar)
Civil Judge, Senior Division Panvel.