



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

**CIVIL APPLICATION (CRC) NO.75 OF 2025 IN
CIVIL REVISION APPLICATION NO. 52 OF 2025**

SMT. SWATI W/O PRADIP HARDE (MAIDEN NAME SWATI W/O VITTHALRAO
KHANGAR)

VS

POOJA D/O LATE PRADIP HARDE AND OTHERS

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Onkar A. Ghare, counsel for applicant.

Mr. P.K. Mishra, with Mr. A.P. Mishra, counsel for non-applicant Nos.1
and 2.

CORAM : Y. G. KHOBRADE, J.

DATED : 20-08-2026

1. Heard Mr. Onkar A. Ghare, learned counsel appearing for the applicant, and Mr. P.K. Mishra, learned counsel appearing for the non-applicant Nos. 1 and 2. Non-applicant No.3 died on 21/03/2021.

2. By the present application, applicant is seeking condonation of delay of 40 days caused while lodging the revision application challenging the order dated 23/08/2023 passed in Misc. Civil Appeal No. 287 of 2019. It is a matter of record that, previously, the applicant had filed Writ Petition No. 664 of 2024 challenging the order dated 28/03/2023 passed in MCA No. 287 of 2019. However, the said petition was filed after 90 days. Subsequently, the petitioner realized about maintainability of the revision in respect of the petition. Therefore, the said writ petition is converted into a revision application.

3. The learned counsel for the applicant contended that, on 09/05/2025, this Court permitted to convert the writ petition into revision application, pursuant to which Revision Application No. 52 of 2025 came to be registered.

4. Learned counsel appearing for the non-applicant has strongly opposed the application on the ground that, initially, the petition filed by the applicant challenging the order dated 23/08/2023 was beyond the period of limitation of 90 days therefore, the revision application itself is barred by limitation, though it has been converted from the writ petition.

5. Needless to say, for filing of the writ petition, no specific limitation has been provided under the law of limitation and as such, the applicant under the bonafide impression had filed writ petition challenging the order dated 23/08/2023 passed in Misc. Civil Application No. 287 of 2019. Subsequently, this Court permitted the applicant for convert the writ petition into revision application vide order dated 09/05/2025.

6. In the facts and circumstances of the case, it appears that the applicant had approached the revisional jurisdiction of this Court due to a bona fide mistake. The explanation offered by the applicant for the delay appears to be bona fide and satisfactory. Hence, I am inclined to condone the delay of 40 days caused in filing the revision application.

7. Accordingly, the Civil Application (CRC) No. 75 of 2025 is hereby allowed.

8. The delay of 40 days caused in filing the revision application is hereby condoned.

9. The office has already registered the revision application. Hence, the office objection, if any, stands overruled.

10. At that this stage, learned counsel appearing for the respective parties fairly stated that both the parties are trying to work out the settlement of the dispute, and they would intimate the Court about the outcome by next date.

11. Place the revision application for admission on 10/09/2026.

[JUDGE]

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