

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.39937 OF 2015

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Revenue.

The petitioner questions the impugned order, dated 03.12.2001, and the only reason given in the affidavit in paragraph Nos.5 and 6 is that his counsel on record appearing in the revision died sometime in 2010. The petitioner states that he was not aware of the impugned order and he obtained certified copy of the said order on 08.10.2010 through another counsel. But, the said new counsel, through whom the certified copy was obtained, postponed filing of further appeal on one pretext or the other. Ultimately, the petitioner has filed the present Writ Petition only on 08.12.2015.

I do not find out the adequate reasons or explanation so as to entertain this Writ Petition after about fifteen years. The petitioner has not even given the date of death of his earlier counsel and it is impossible to believe that even after the order passed in his favour by the Revenue Divisional Officer was set aside by the Joint Collector, the petitioner was not aware of passing of the impugned order. Moreover, even assuming that the petitioner obtained certified copy of the impugned order through new counsel which was on 08.10.2010, five years have elapsed since then. To my mind, therefore, the petitioner is not at all diligent and as such there are no reasons to entertain this Writ Petition, as the discretion does not deserve to be exercised in favour of the petitioner.

The Writ Petition is accordingly dismissed. There shall be no

order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

VILAS V.AFZULPURKAR, J

09.12.2015

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