

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3708 OF 2016

Rajaram Jagannath Kadam

(Deceased through LRs)

Janabai Rajaram Kadam and others

.. Petitioners

Versus

Baburao Jagu Kadam

(Since deceased through legal heirs)

Popat Baburao Kadam and others

.. Respondents

Mr. K. U. Patil, for the Petitioners.

Mr. R. C. Barge, for the Respondent Nos.1 to 5.

Mrs. V. S. Nimbalkar, AGP for the Respondent Nos.6 & 7.

CORAM : R.M. SAVANT, J.

DATE : 30th MARCH 2016

PC.

1. The above Petition is directed against the order dated 03.10.2015 passed by the Superintendent of Land Records, Satara, by which order, the delay in filing the Appeal by the Respondent Nos.1 to 5 came to be condoned. Against the said order dated 03.10.2015, the Petitioners who are the heirs of one Rajaram Jagannath Kadam have filed a Revision Application being No.3388 of 2016 before the Deputy Director of Land Records, Pune Region, Pune. Since the said Revision Application is

belated, the Petitioners have also filed an application for condonation of delay. In my view, it is not necessary to interdict in the writ jurisdiction of this Court with the order dated 03.10.2015 passed by the Superintendent of Land Records, Satara. The above Petition can be conveniently disposed of by issuing the following directions :-

I) The Deputy Director of Land Records, Pune Region, Pune, is directed to hear and decide the application for condonation of delay in filing the Revision Application filed by the Petitioners, and in the event he deems it appropriate to condone the delay, to dispose of the Revision Application itself latest by 30.04.2016.

II) Till a decision is rendered either on the application for condonation of delay or the Revision Application itself if the need so arises, the order dated 03.10.2015 passed by the Superintendent of Land Records, Satara, would stand stayed and resultantly, the Superintendent of Land Records would not proceed with the Appeal pending before him on merits.

III) The contentions of the parties on merits of the

application for condonation of delay are kept open for being urged before the Deputy Director of Land Records, Pune Region, Pune.

IV) Needless to state that the Deputy Director of Land Records, Pune Region, Pune, would decide the application for condonation of delay as well as the Revision Application if the occasion so arises, on their own merits and in accordance with law.

2. With the aforesaid directions the Writ Petition is disposed of.
3. Parties to act on a copy of this order duly authenticated by the Court Sheristedar.

[R.M. SAVANT, J]