

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.14311 OF 2017
IN
REVIEW APPLICATION ST. NO.38205 OF 2017
IN
WRIT PETITION NO.12528 OF 2015

- 1) Kailas Julal Chavan,
- 2) Rajendra Julal Chavan

...APPLICANTS

VERSUS

- 1) Bhaskar Kautik Chavan,
- 2) The State of Maharashtra,
- 3) The Collector, Jalgaon,
- 4) The Zilla Parishad, Jalgaon,
Through Chief Executive Officer,
- 5) The Zilla Parishad, Jalgaon,
Through Deputy Chief Executive Officer,
- 6) Block Development Officer,
Panchayat Samiti, Jalgaon,
- 7) The Village Panchayat,
Mhasawad, Tq. & Dist-Jalgaon.

...RESPONDENTS

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Mr.B.S. Deshmukh Advocate for Applicants.
Mr.G.A. Nagori Advocate for Resp. No.1.
Mr.S.B. Yawalkar, A.G.P. for Resp. Nos.2 & 3.
Mrs. Chaitali R. Choudhari Advocate for
Resp. No.4 to 6.

**CORAM: S.S. SHINDE AND
MANGESH S PATIL, JJ.**

DATE : 19TH DECEMBER, 2017

ORDER :

1. Learned counsel appearing for Respondent No.1 has tendered across the Bar reply to the Application for condonation of delay and also to the Review Application. The same is taken on record.

2. Learned counsel appearing for respective Respondents vehemently opposed the prayer for condonation of delay. It is submitted that no sufficient cause has been disclosed in the Application for condonation of delay of 114 days.

3. We have carefully perused the averments in the Application. It appears that the Review Applicants were not party to Writ Petition No.12528 of 2015 and when the Gram Panchayat undertook measurement of alleged encroached

construction on public road, the Review Applicants came to know about filing of the Writ Petition.

4. In that view of the matter, delay deserves to be condoned. Accordingly, delay in filing Review Application is condoned. Civil Application stands disposed of, accordingly.

(MANGESH S. PATIL, J.)

[S.S. SHINDE, J.]

asb/DEC17