

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELATE JURISDICTION**

**CIVIL APPLICATION NO. 268 OF 2016
IN
CIVIL REVISION APPLICATION (ST.) NO. 29992 OF 2015**

Mr. Shirish Yashwant Bhatlawande .. Applicant
v/s.
State of Maharashtra & Ors. .. Respondents

Mr. Vishwasrao S. Deokar for the applicant
Mr. Yogesh Dabke, AGP for respondent nos. 1 and 2
Mr. Abhijeet A. Joshi for respondent no.3

**CORAM : M.S. SANKLECHA, J.
DATED : 10th OCTOBER, 2017**

P.C.

1. This Civil Application has been taken out for condonation of delay for 1 year and 15 days in filing the Civil Revision Application from the impugned order dated 14th November, 2013 passed by the Deputy District Collector, Land Acquisition Officer No.3, Solapur.

2. The applicant had earlier moved the writ petition under Article 226 of the Constitution of India being Writ Petition No.6827 of 2015 and this Court by order dated 14th October, 2015 permitted the applicant to withdraw the petition with liberty to take appropriate remedy as provided under the Land Acquisition Act, 1894. Admittedly, there is delay in filing the petition, which has been

explained *inter alia* on the ground that the applicant's mother was unwell. In fact, she finally passed away.

3. Mr. Joshi, learned Counsel appearing for the respondent no.3 i.e. Maharashtra State Electricity Distribution Co. Ltd. opposes the same on the ground that this application is mere after thought as the parties had in 2012 had agreed for a settlement. Mr. Dawkar, learned Counsel appearing for the applicant disputes that any such settlement was arrived at or that the applicant had retracted on any settlement.

4. For the reasons indicated in the Civil Application, the delay of 1 year 15 days is condoned. It would be appropriate for the reasons set out in the application that the grievance of the applicant be considered on merits.

5. Accordingly, the Civil Application is allowed in terms of prayer clause (b).

(M.S. SANKLECHA, J.)