

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

**CIVIL APPLICATION NO. 256 OF 2014
IN
REVIEW PETITION (ST) NO. 11818 OF 2014**

Shri. Mahesh Chandrakant	}	
Dhumal	}	Applicant
versus		
State of Maharashtra	}	
and Ors.	}	Respondents

Mr. J. S. Yadav i/b. Mr. Ashok M. Joshi
for the petitioner.

Ms. Aparna D. Vhatkar - AGP for the
respondents.

**CORAM :- S. C. DHARMADHIKARI &
B. P. COLABAWALLA, JJ.**

DATED :- FEBRUARY 9, 2017

P.C. :-

1. This civil application was placed before us on several occasions prior to this date, but on one ground or the other, an application for adjournment was made by the petitioner. On one occasion, we were informed that his advocate is unwell and we acceded to the request of the petitioner to adjourn the matter. Despite repeated adjournments, if the advocates are not making alternate arrangement, then, they cannot expect the court to go on adjourning the cases.

2. The civil application is filed seeking to condone the delay of five years in filing the review petition. It is conceded before us that the review petition seeks a review of an order passed by this court in Writ Petition No. 7263 of 2006. That order has been passed by this court on 14th December, 2007. In these circumstances, the review petition filed on 21st September, 2013 was barred by limitation. The civil application seeking condonation of delay does not offer any explanation. There is absolutely no cause shown which can be termed as sufficient. Some vague assertions are made in paras 2 and 3 of the civil application. The only reason that is assigned is that the petitioner being unemployed and terminated from service could not make arrangement of funds. We do not see how a delay of five years can be condoned on such an explanation. Therefore, there is no sufficient cause for condoning the delay. The Civil application is accordingly dismissed.

(B.P.COLABAWALLA, J.) (S.C.DHARMADHIKARI, J.)