

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

WRIT PETITION NO. 10353 OF 2015

Shri Pratap Baban @ Narahari
Bhange

..Petitioner.

Vs

Shri Annasaheb Ranganagh @
Ranga Doke and Anr.

.. Respondents

Mr. G.N.Salunke, Advocate for Petitioner.
Mr.Omkar Nagvekar i/b P.R.Arjunwadkar, Advocate for
Respondents No. 1 to 6.

CORAM : R.G.KETKAR,J.
DATE : 24/04/2017

PC:

1. Heard Mr.G.N.Salunke, learned counsel for the petitioner and Mr.Omkar Nagvekar, learned counsel for respondents no. 1 to 6 at length.
2. This petition takes exception to the order dated 23.4.2015 passed by Sub Divisional Officer, Mangalvedha. By that order, the Sub Divisional Officer condoned the delay of 39 years in filing R.T.S.Appeal under Section 247 of the Maharashtra Land Revenue Code, 1966 (for short, Code).
3. Mr. Salunke fairly submitted that during the pendency of this petition, the Appeal itself was disposed of by the S.D.O. He submitted that the petitioner has already challenged that order by filing second R.T.S. Appeal. Liberty may be reserved to the petitioner herein to agitate the contention that the S.D.O. was

not justified in condoning the delay of 39 years in filing the Appeal.

4. As after passing of the impugned order the Appeal itself is disposed of by the S.D.O. and the said order is also challenged by the petitioner by filing second R.T.S. Appeal, this Petition is rendered infructuous and is accordingly disposed of by granting liberty to the petitioner to agitate the contention that the S.D.O., while passing the order dated 23.4.2015, was not justified in condoning the delay of 39 years in filing R.T.S. Appeal. All contentions of the parties are kept open.

5. All the parties, including the concerned authority, to act upon the authenticated copy of this order.

(R.G.KETKAR, J.)