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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO.4113 OF 2016
IN
REVIEW APPLICATION (ST.) NO.4405 OF 2016
IN
WRIT PETITION NO.4614 OF 2005**

Dagadu Nilkantha Patil,
Age: 72 years, Occu: Nil,
R/o 22- A, G.T.P. Colony,
Deopur, Dhule 424 005

..APPLICANT

VERSUS

The Dhule District Co-operative
Agriculture & Rural Multipurpose
Development Bank Ltd., Dhule,
Through it's Liquidator & ors.

..RESPONDENTS

Mr Ajay S. Deshpande, Advocate for applicant;
Mr L. H. Kawale, Advocate holding for Mr K. J. Suryawanshi, Advocate for
respondent No.2
Mr S. S. Dande, A.G.P. for respondent Nos. 3 and 4

**CORAM : PRASANNA B. VARALE
AND
S. M. GAVHANE, JJ.**

DATE : 27th July, 2018

ORAL ORDER:

Heard Mr Deshpande, learned Counsel for applicant, Mr Kawale,
learned Counsel holding for Mr Suryawanshi, learned Counsel for
respondent No.2 and Mr Dande, learned A.G.P. for respondent Nos.3 and 4.

(2)

2. This is an application seeking condonation of delay of 186 days i.e delay of 6 months and 8 days, caused in filing application seeking review of the order dated 9th July, 2015 of this Court, in Writ Petition No.4614 of 2005.

3. Mr Deshpande, learned Counsel appearing on behalf of applicant, by inviting our attention to the grounds and more particularly at paragraph No.3 of the present application, submitted that the applicant is in his advanced age and was facing some financial difficulties, which were preventing him to take necessary steps as early as possible. Thus, the submission is that the delay caused is due to just and bona fide reasons and the same is unintentional.

4. Learned Counsel appearing on behalf of the respective respondents opposed the application.

5. Though the learned Counsel for respective respondents opposed the application, considering the submission of Mr Deshpande, learned Counsel for applicant and for the reasons stated in the application, we are of the opinion that the applicant has made out a case and the just and bona fide reasons are shown in the application for delay. Thus, the application needs to be allowed and same is accordingly allowed.

(3)

6. Post the review application for hearing on 16th August, 2018, considering the limited grievance raised by the petitioner in the nature of review and as the review petitioner prays only a correction or modification in the rate of interest referred to in Clause No.2 of the operative order and considering the fact that the petition is allowed by quashing and setting aside of departmental enquiry initiated against the petitioner.

(S. M. GAVHANE, J.)

(PRASANNA B. VARALE, J.)

sjk