

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 13769 OF 2018

PRADEEP S/O. GANESHRAO PAWAR
VERSUS
THE SUB-DIVISIONAL OFFICER, JALNA AND ANOTHER.

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Mr. Ajay S. Deshpande, Advocate for petitioner (through legal aid)
Mr. P.S. Patil, Additional Govt. Pleader, for respondents.

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CORAM : S.S. SHINDE &
K.K. SONAWANE, JJ.

DATE : 20th DECEMBER, 2018.

PER COURT:

1] This petition is filed with the following substantial prayer :-

{B] The orders passed by the Schedule Tribe Verification Committee, Aurangabad in Appeal No. 207 of 2018 dated 13.7.2018 and the order passed by the SDO, Jalna, dated 27.12.2017 may be quashed and set aside.

2] The learned counsel for the petitioner invites our attention to the reasons stated in para.5 of the petition and submits that because of the said reasons, appeal was not filed by the petitioner before the respondent No.2.

3] Learned Additional Govt. Pleader submits that no sufficient cause has been disclosed. Hence, petition should not be entertained.

4] Upon hearing the counsel for petitioner and learned AGP appearing for the respondents, and upon perusal of the averments/pleadings in the petition and in particular, para. 5 thereof, in our opinion, the delay in filing the appeal was not intentional or the petitioner has not gained any undue advantage by filing the said appeal beyond limitation.

5] In that view of the matter, the impugned order is quashed and set aside. Delay is condoned. The appeal is restored to its original file. Respondent No.2 to decide the said appeal on merits, as expeditiously as possible, however, within 2 months from today.

6] With the above observations, writ petition stands disposed of.

7] We appreciate the able assistance rendered by Shri Ajay Deshpande, Advocate during the course of hearing of the petition. We quantify the fees payable to him as per the schedule maintained by the High Court Legal Services Authority, Sub-Committee, Aurangabad.

[K.K.SONAWANE]
JUDGE

[S.S. SHINDE]
JUDGE

grt/-