

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

CIVIL APPLICATION NO.218 OF 2017  
 IN  
 REVIEW PETITION (STAMP) NO.18391 OF 2017  
 IN  
 WRIT PETITION NO.11252 OF 2016  
 WITH  
 REVIEW PETITION (STAMP) NO.18391 OF 2017  
 IN  
 WRIT PETITION NO.11252 OF 2016

...

The Education Officer (Secondary) ... Applicant

IN THE MATTER BETWEEN

Sadhana Satappa Patil ... Petitioner.

vs.

The State of Maharashtra & Ors. ... Respondents

...

Mr.S.M.Kankal, AGP for the Applicant/Respondent Nos.1 and 2/ State.  
 Mr. N.V. Bandiwadekar a/w Mr. Sagar A. Mane for the Respondent  
 No.1/original Petitioner.

...

**CORAM : A.A. SAYED,J.**

**DATED : 2 APRIL 2018**

**P.C.:**

The Civil Application is taken out for condonation of 203 days delay in filing the Review Petition. By order dated 5 March 2018, time was granted to the Applicant to file an additional Affidavit setting out the material particulars as regards the delay in filing the Review Petition. Accordingly, the learned AGP for the Applicant has filed an additional Affidavit. Learned AGP for the Applicant has also relied upon the judgment of the Supreme

Court in the case **The Special Tehsildar, Kerala v/s. K.V.Ayisumma**, JT 1996 (7) 284.

2. Learned Counsel for the Respondent No.1/original Petitioner has filed Replies to the Civil Application as well as the additional Affidavit.

3. I have heard learned Counsel for the parties. For the reasons stated in the Civil Application as well as in the additional Affidavit, I am inclined to condone the delay, subject however to costs. Even otherwise I find that the delay is not such that ought not to be condoned if costs are imposed, having regard to the facts and circumstances of the case.

4. The Civil Application is allowed in terms of prayer clause (a), subject to costs of Rs.5000/- to be paid by the Applicant to the Respondent No.1/Original Petitioner within a period of two weeks from today.

5. List the Review Petition on 23 April 2018 at 2.40 p.m. in Chamber.

**(A.A.SAYED, J.)**