

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 9747 OF 2018

Shri Rajendra Parmeshwar Ithape	.. Petitioner
Vs.	
The State of Maharashtra and anr.	.. Respondents

Mr.V.S.Talkute, for the Petitioner.
Mr.S.B.Kalel, AGP for Respondents - State.

**CORAM : B.R.GAVAI &
M.S.KARNIK, JJ.
DATE : 15th OCTOBER, 2018**

P.C. :

. The Petitioner has an alternate remedy of an Appeal before the Divisional Commission under the provision of Rule 82 of the Maharashtra Minor Mineral Extraction (Development and Regulation) Rules, 2013.

2. However, taking into consideration the fact that the Petitioner was bonafide pursuing the present remedy, as the Appeal is not filed within limitation, the Petitioner would be

entitled to the benefit of Section 14 of the Limitation Act towards the delay caused for the period during which the Petitioner was prosecuting the present Petition.

3. Taking into consideration the exigency of the matter, we further direct that if the Appeal is preferred by the Petitioner, the same would be decided within a period of one month from the date of presentation thereof.

(M.S.KARNIK, J.)

(B.R.GAVAI, J.)