

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

WRIT PETITION NO. 3093 OF 2018

Kalpana Sunil Gujar & Ors.	...	Petitioners
V/S.		
The State Of Maharashtra & Ors.	...	Respondents

Mr.Swapnil Walve i/h. Mr.Bhavesh Magam for Petitioners.
Ms.M.S. Bane, AGP for the State.
Mr.Pravin Dabade i/b. Mr.Jayendra Khairnar for Respondent No.5.

CORAM : A.S. GADKARI, J.

DATE : 6th June 2019.

P.C. :

1] As noted in order dated 12th February 2018, the Appeal No. 588 of 2017 filed before the Additional Commissioner, Nashik Division, Nashik, on 01/09/2017 by the petitioners, after receipt of impugned order dated 16/08/2017 was admittedly filed within a period of 8 days from the date of receipt of the copy of the impugned order and therefore, the appeal preferred by the Petitioners before the concerned authority was within the period of limitation.

2] In view thereof, impugned order dated 16/08/2017 passed by the respondent No.2 is hereby set-aside and the Appeal No.588 of 2017 is restored to the file of the respondent No.2.

3] Petition is allowed in the aforesaid terms.

[A.S. GADKARI, J.]