

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

WRIT PETITION NO.11919 OF 2019

Smt. Shimgu Janu Vayde and ors. ... Petitioners

V/s.

M/s M.A.Planks and ors. ... Respondents

Mr.Rajesh N. Kachare with Mr.Gautam Kanchanpurkar i/by
Mr.Vinod P. Sangvikar, Advocate for the Petitioner.

Mr.Vishal Kanade i/by Mr.S.B.Amin, Advocate for
Respondent No.1.

**CORAM : UJJAL BHUYAN, J.
DATE : DECEMBER 03, 2019.**

P.C.:-

1. Heard learned counsel for the parties.
2. Challenge made in this petition filed under Article 227 of the Constitution of India is to the order dated 12th February, 2019 passed by the learned member (Administrator) Maharashtra Revenue Tribunal, Mumbai condoning the delay of 285 days in preferring the related appeal bearing No.APL/TRB/MUM/L-264/18 subject to payment of cost of Rs.2,000/-.
3. Though at the first blush it would appear that the order condoning the delay is not a reasoned one, it has been brought to the notice of the court that there was

actual no serious objection to the delay condonation application. That apart, after the delay was condoned, the appeal was heard on 13th November, 2019 and 5th December, 2019 is fixed for delivery of order.

4. On the other hand, it is seen that the present writ petition was filed on 13th November, 2019 i.e. on the same day when the arguments were concluded before the Appellate Authority.

5. When the petitioners had participated in the hearing of the related appeal, court is of the view that it would not be just and proper to intervene in the matter at this stage, that too, by invoking jurisdiction under Article 227 of the Constitution of India.

6. If the petitioners feel aggrieved by any order that may be passed by the Appellate Authority, it would be open to them to avail their legal remedy in accordance with law, if so advised.

7. Keeping all contentions open, present writ petition is disposed of.

(UJJAL BHUYAN, J.)

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