

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 10941 OF 2018**

Smt. Pushpalata Jagdish Kulkarni & Ors.Petitioners.

Vs.

Shri Jagannath Dhondi Nikam & Ors.Respondents.

Mr. Abhijit Tambe i/by P.M. Arjunwadkar for the Petitioners.
None for the Respondents.

CORAM : A. S. GADKARI, J.
DATE : 18th OCTOBER, 2019.

P.C.:-

The condonation of delay of 41 years in challenging Mutation Entry No.2753 which was certified on 15th June, 1974 is the subject matter of the present Petition. The record indicates that, the Petitioners filed Appeal No.6 of 2015 on 12th June, 2015 challenging Mutation Entry No. 2753, which was effected in favour of the Respondents and certified on 15th June, 1974. No explanation at all for condonation of such a colossal and inordinate delay of 41 years is offered by the Petitioners.

2 The Sub-Divisional Officer has rejected the said Appeal preferred by the Petitioners by its Order dated 30th November, 2015.

The Revenue Tribunal has dismissed the Revision Application No. 10 of 2016 on the same ground that, there was delay of 41 years for filing the Appeal.

3 The record further indicates that, the Mutation Entry in favour of the Respondents was affected in pursuance of 32-M certificate issued in their favour in the year 1974 by the Competent Authority. The Petitioners have not challenged the said proceedings, coupled with the fact that, no explanation at all is offered for such an inordinate delay. Both the Authorities below have rightly rejected the Application preferred by the Petitioners challenging Mutation Entry No. 2753.

4 After perusing the entire record, this Court is of the considered view that, both the Authorities below have not committed any error either in law or on facts while passing the impugned Orders.

The Petition being devoid of merits, is accordingly rejected.

(A.S. GADKARI, J.)