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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 13578 OF 2018

Satish Shashikant Vanage & Ors. ... Petitioners
Vs.
Surendra Waman Khate & Ors. ... Respondents

Mr. P. D. Dalvi i/b Thorat L. Pimple, for the Petitioners.

Mr. Kunal Bhangé a/w Akshay Pawar, for Respondent Nos. 1, 4 & 5.

Ms. M. S. Bane, AGP for Respondent Nos. 8 to 10.

CORAM : C. V. BHADANG, J.

DATE : JANUARY 10, 2020

PC :

1. Heard learned counsel for the parties for some time. The challenge in this petition is to the order dated 17th October, 2018 passed by the Hon'ble Minister for Revenue, Government of Maharashtra in Revision Application No. RTS 2818 / 152 /J- 4A thereby confirming order dated 28th February, 2018 passed by the Additional Commissioner, Konkan Division, Mumbai condoning the delay of about 19 years in challenging Mutation Entry 5728.

2. In view of the submissions made at the bar, it is not necessary to record detail reasons as the learned counsel for the Petitioner submitted that issue about challenge to the order condoning the delay may be left open to be challenged, in the event final order on merits is

adverse to that of the Petitioner. In that view of the matter, the writ petition is disposed of with liberty to challenge the impugned order condoning the delay in challenge to the final order being passed on merits, by the Additional Commissioner, in the event said order is adverse to the Petitioner. Rival contentions of the parties are left open. The writ petition is disposed of in the aforesaid terms with no order as to costs.

Sd/-
C. V. BHADANG, J.

Vinayak Halemath

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P.
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by Vinayak P.
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