

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 7058 OF 2020

Deelip s/o Damu Dhangar

...Petitioner

Versus

The Additional Divisional Commissioner
and Ors.

...Respondents

.....

Mr. Ashwin V.Hon, Advocate for Petitioner

Mr. S.N.Morampalle, A.G.P. for Respondents No. 1 to 3

Mr. Dhananjay B. Thoke, Advocate for Respondents No. 4
and 5

.....

CORAM : R. G. AVACHAT, J.

DATE : 25-01-2021.

PER COURT :

01. Heard learned Counsel for the parties. Perused the memo of appeal, particularly clause 7 of the appeal memo. It has been averred that the Additional Collector passed the order on 13.5.2019. The copy of said order had not been sent to the petitioner by R.P.A.D. nor it had been served to him personally. After having learnt about the said order, the petitioner applied for certified copy on 22.5.2019. He received the same on 27.5.2019 and filed the appeal on 30.5.2019.

02. In the given circumstances the delay occurred in filing the appeal needs to be condoned. Accordingly, the delay is condoned. The Grampanchayat Appeal No. 31/2019 is restored to the file of Additional Commissioner, Nashik. The parties shall appear before the learned Additional Commissioner, Nashik on 15.2.2021. The learned Additional Commissioner shall decide the appeal on its own merits within a period of 6 months therefrom. The impugned order is set aside. All the contentions are kept open. Writ petition is disposed of accordingly.

[R.G.AVACHAT]

JUDGE

Dahibhate/-