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

WRIT PETITION NO. 1276 OF 2020

Tukaram Kanhu Gharat

... Petitioner.

Vs

State of Maharashtra & Ors.

... Respondents

Mr. Rajesh S. Datar for the Petitioner.

Smt. V.S.Nimbalkar, AGP for Respondent Nos.1 and 2 / State.

Mr. Girish S. Godbole i/b Dnyaneshwar Deshmukh for Respondent No.3.

CORAM : M. S. KARNIK, J.

DATE : 25th AUGUST, 2021

P.C. :

Heard learned counsel for parties.

2. Mr. Godbole, learned counsel for respondent No.3 fairly submitted that the matter may be remanded to the District Superintendent of Land Records, Thane by setting aside the impugned order.

3. Accordingly, the impugned order is set aside and the matter is remanded back to the District Superintendent of Land Records, Thane for considering the application for condonation of delay afresh. Both parties to appear before the District Superintendent of Land Records, Thane on 13th September, 2021 at

11.00 a.m. The application so filed be decided on its own merits after considering the explanation of respondent No.3 and the objection of the petitioner. All contentions of the parties are expressly kept open. It is made clear that I have not expressed anything on merits of the matter and even the application for condonation of delay be decided on its own merits and in accordance with law. The Writ Petition is disposed of accordingly. No order as to costs.

(M. S. KARNIK, J.)