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

WRIT PETITION NO. 3545 OF 2021

Mahesh Vasant Mhatre and anr. Petitioners
Vs.
State of Maharashtra and ors. Respondents

Mr.Sumedha Rao a/w Ms.Rumana Bagdadi, for the Petitioners.
Mr.S.D.Rayrikar, AGP for the Respondents No.1 to 4 - State.
Mr.Sandeep Shinde a/w Ms.Mayuri Karekar & Mr.Ravi Asabe i/b
Ergo Juris, for Respondent No.5.

CORAM : M. S.KARNIK, J.

DATE : AUGUST 3rd, 2021

P.C. :

. Heard learned Counsel for the Petitioners. Issue notice to the Respondents. Learned AGP waives service of notice for Respondents No.1 to 4. Shri Shinde waives service of notice on behalf of Respondent No.5. By consent, matter is heard forthwith.

2. Respondent No.5 filed Revision Application before the State Government challenging the order dated 25/03/2014 passed in Appeal by Deputy Director of Land Records, Konkan

Division, Mumbai. The Revision was filed on 27/09/2020. It is the contention of the learned Counsel for the Petitioners that there is gross delay of 6 years in filing the Revision. It is not in dispute that the application for condonation of delay in filing the Revision was made by Respondent No.5 before the State Government. Having gone through the impugned order, it is seen that though the contentions regarding the delay in filing the Revision are stated, however, there is no consideration of the contentions and opposition thereto by the Petitioners that the explanation is not satisfactory and that the delay should not be condoned.

3. I find that in the impugned order, the aspect of delay has not been dealt with at all though application for condonation of delay was specifically made by Respondent No.5. The impugned order is therefore set aside. The Revision is remitted back to the Hon'ble Minister to decide the same afresh on its own merits and in accordance with law after duly considering the application for condonation of delay. Hon'ble Minister is requested to decide the Revision expeditiously and preferably within a period of 12 weeks from 11/08/2021. The Petitioners and Respondent No.5 undertake to appear before the State Government on 11/08/2021 at 3.00 p.m. along with the copy of this order. All contentions are kept open. It is made clear that

parties shall maintain status-quo so far as the suit properties are concerned till the decision in the Revision.

4. Writ Petition is disposed of.

(M.S.KARNIK, J.)