

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3773 OF 2011

BHAUSAHEB DASU THORAT
VERSUS
D. S. DHOTRE AND ANOTHER

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Advocate for Petitioner : Mr. M. B. Kolpe
Advocate for Respondent No.1 : Mr. P. P. Dawalkar
Advocate for Respondent No.2 : Mr. C. S. Deshmukh

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 30th AUGUST, 2022

PER COURT :

1. The point raised in this petition is covered by order passed by the learned Single Judge of this Court in *Writ Petition No.2725/2011 (Nanasaheb Dasu Thorat and Others Vs. D. S. Dhotre and Another)*. It was the petition filed by real brother of the petitioner herein.
2. Petitioner's claim for compensation, is rejected by the respondent on the ground of limitation. Brother of the petitioner, who was similarly situated, had challenged the similar order rejecting his claim on the ground of delay of six months. This Court set aside the said order and remanded matter back for decision on merits.
3. In view of this peculiar fact, writ petition is allowed. Impugned order is hereby quashed and set aside and the application of the petitioner is directed to be decided on its own merits. All the contentions of the respective parties are kept open.

(NITIN B. SURYAWANSHI, J.)