

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CAO NO.1145/2017 IN MCA STAMP NO.17814/2017 IN
WRIT PETITION NO.1561/2012(D)

The Joint Director, Higher Education, Nagpur Vs. Diwakar Madhukarrao
Pande and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri M.A. Kadu, AGP for applicant.
Shri Abhay Sambre, Advocate for respondent no.3.
Shri S.M. Paunikar, Advocate for respondent no.4.

CORAM : AMIT B. BORKAR, J.
DATE : JULY 18, 2022.

By this application, the applicant is seeking condonation of delay of 1218 days in filing the application for review. Curiously, in the application date of intimation of the order is not mentioned. In paragraph 3 of the application, the applicant has stated that the present applicant was never communicated about passing of the judgment in Writ Petition No.1561/2012 dated 10.03.2014.

2. From the reply of respondent nos.2 and 3, it appears that the Management had communicated the judgment in Writ Petition No.1561/2012 to the applicant on 04.04.2015. The said document is Annexure-N-1 to the reply, which bears seal and signature of the clerk of the applicant. The acknowledgment also appears date.

3. In that view of the matter, the averments made in paragraph 3 are false. Since the reason mentioned in the

application is false, the application for condonation of delay in filing the review application cannot be entertained.

4. Apart from the fact that the reason in paragraph 3 is false, there is no explanation to condone the delay of 1218 days in filing the application. The cause shown in the application is vague in the nature and is not sufficient to be treated as sufficient cause within the meaning of Section 5 of the Limitation Act. In that view of the matter, the application is liable to be rejected. The application is, therefore, rejected.

JUDGE

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