

Pooja K.

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3945 OF 2022
WITH CIVIL APPLICATION NO. 4207 OF 2022
IN WRIT PETITION NO. 3945 OF 2022

Somnath Namdeo Nagare	... Petitioner
<i>Versus</i>	
Manda Baban Ghuge and Ors.	... Respondents

...
Mr. K.P. Jadhav – Advocate for Petitioner
Mr. D.R. Markad – Advocate for Respondent No.1
....

CORAM : GAURI GODSE, J.
DATE : 6th January, 2023

PER COURT :

1. This petition is filed for challenging the order dated 3rd April, 2018 passed by the Sub-Divisional Officer, Shrirampur in R.T.S. Appeal No. 7 of 2017. The learned counsel for the petitioner states that though the proceedings are numbered as appeal, in fact it is a revision application that is filed by the petitioner. By this order Revision Application of the petitioner filed under Section 23 of the Mamlatdars Courts Act is dismissed for want of prosecution. Perusal of the order shows that, various notices were issued to the petitioner however, he did not attend the hearing.

2. Learned counsel appearing for respondent no.1 states that, even the present revision is filed beyond a period of one year and there is no explanation given for the delay.
3. Considering the fact that the petitioner is ready to make an application before the Sub-Divisional Officer for restoration of the Revision Application (R.T.S. Appeal No. 7 of 2017), this Writ Petition is disposed of with liberty to make an application to the Sub-Divisional-Officer, for restoration of the Revision Application.
4. If such application is filed within two weeks from today, the Sub-Divisional-Officer shall decide the Revision Application on its own merits and in accordance with law, uninfluenced by the observations made in the order impugned in this writ petition, as well as this order.
5. Petitioner shall serve the copy of application upon the respondent no.1 in advance.
6. Writ Petition is disposed of in the above terms.

**[GAURI GODSE]
JUDGE**