

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

905 CIVIL APPLICATION NO. 8715 OF 2020

SHESHRAO GANPATRAO JOGDAND
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicants : Party In Person
AGP for Respondents : Mr. S.G. Sangale
...

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 21 JULY 2023

PER COURT :

This is an application seeking condonation of delay in preferring review petition in respect of the judgment and order passed by this Court in Writ Petition No. 6372/2009, pronounced on 30 September 2009.

2. We have heard the applicant in person. We do not intend to go into the previous orders which expressly described his demeanor. Now he has been addressing this Court in person. We asked him whether he is ready to address the Court on his application seeking condonation of delay. After he said yes, we have heard him.

3. After arguing for a while in the sense reading the application for condonation of delay, he started addressing the Court on the merits of the matter which was the subject matter in the Writ Petition.

4. We brought to his notice that he is supposed to address the Court to explain the delay of more than 10 years in seeking the review. He replied by saying that this Court may pass the order and that is how we are passing this order.

5. A bare look at the application would reveal that no attempt has been made to plead the circumstances which would constitute sufficient cause within the meaning of Section 5 of the Limitation Act. The application attempts at mentioning several incidents and the history and in the process some uncalled for comments have been made against the Supreme Court which dismissed his SLP and even names of the esteemed brother Judges of this Court and even the then Hon'ble Chief Justice and Hon'ble Judges of Supreme Court have also been referred to.

6. Be that as it may, this Court had decided the Writ Petition in the year 2009, whereas, the review along with this application was filed in the year 2020. We need not indulge in calculation of the exact delay. Suffice for the purpose to observe that the enormity of delay and utter lack of attempt in explaining the delay leave us with no option but to reach to a conclusion that the delay has not been explained properly.

7. Though, it is a harsh remedy which shuts the door, even if some pragmatic view is to be adopted only for the reason that the

applicant is a senior citizen and appearing in person, still, in the absence of sufficient cause the delay cannot be condoned.

8. The application is rejected.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

spc/