

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

978 WRIT PETITION NO.11818 OF 2015

**SARDAR ANMOISINGH SHERSINGH KAMTHEKAR AND ANOTHER
VERSUS
THE DEPUTY DIRECTOR OF LAND RECORDS AURANGABAD
REGIONAURANGABAD AND OTHERS**

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Advocate for Petitioners : Mr. Amit A. Mukhedkar
AGP for Respondents 1 & 2 : Mr. G.O. Wattamwar
Advocate for Respondent 3 : Ms. S.G. Chincholkar h/f. Mr. G.N. Chincholkar
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**CORAM : ARUN R. PEDNEKER, J.
DATED : 17/02/2023**

PER COURT :

1. Heard the learned counsel for the respective parties.
2. By way of present writ petition, the petitioners are challenging the order passed by the District Superintendent of Land Records, Nanded in case bearing No. Appeal/S.R.379/2015 dated 9.1.2015, whereby the District Superintendent of Land Records had entertained the appeal under section 247 of the Maharashtra Land Revenue Code by condoning the delay of seven months and three days. The matter was carried before the Deputy Director of Land Records, Aurangabad, appellate authority, by filing case No. CTS. Appeal/S.R./1541/2015 and the appellate authority has confirmed the order dated 9.1.2015 passed by the District Superintendent of Land Records, Nanded by order dated 28.8.2015. Hence, the present writ petition is filed.
3. The learned counsel for the petitioners submits that while condoning the delay, the lower authority i.e. Superintendent of Land Records has not applied its mind and instead of considering the reasons for condoning the delay, it has gone into the merits of the case and condoned the delay.

4. I have perused the application for condonation of delay and the order passed by the District Superintendent of Land Records Nanded. In the reasoning of the order on the application for condonation of delay, the lower authority has held that applicants therein had interest in the property as they had purchased the property from the original owners and apparently their application filed for condonation of delay also indicates that the mutation entry was made behind back of the applicants. The applicants were not aware of the same. The applicants had interest in the property, as such the delay is condoned by the District Superintendent of Land Records, Nanded. The Deputy Director of Land Records, Aurangabad has also rightly confirmed the findings recorded by the lower authority. I see no error in both the impugned orders. There is no reason to interfere in the orders passed by the authorities below. In view of the above, the writ petition stands dismissed.

[ARUN R. PEDNEKER J.]

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