

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6255 OF 2018

Pramod Rajaram Kulkarni through

POA Holder

.. Petitioner

Versus

Sopan Bajirao Bhargude (since deceased)

Through LR.s. and Ors.

.. Respondents

Mr. S.G. Karandikar for the Petitioner.

CORAM : SHARMILA U. DESHMUKH, J.

DATED : MARCH 16, 2023

P.C. :

1. Heard.

2. By this petition, the challenge is to the order dated 06.09.2017 passed by the Member, Maharashtra Revenue Tribunal, Pune in Revision Application No.TNC/REV/NS/V/3/2014, dismissing the petitioner's application for condonation of delay of 330 days caused in filing the revision application.

3. Heard learned counsel appearing for the petitioner. Learned counsel for the petitioner submits that there was sufficient

explanation tendered as regards the delay of 330 days caused in preferring revision application which was not rightly considered.

4. Perused the papers with the assistance of the learned counsel for the Petitioner.

5. The Revision Application in question was preferred against the order of the Sub-Divisional Officer on an application filed challenging the order passed on 05.07.1969 in context of Section 32G of the Maharashtra Tenancy and Agricultural Lands Act, 1948. The Sub-Divisional Officer has rejected the application on the ground that the challenge to the order dated 05.07.1969 is preferred after a lapse of 42 years for which no sufficient explanation is tendered by the petitioner. Learned counsel for the petitioner is unable to demonstrate any cause much less sufficient cause for preferring the application after delay of 42 years. As such, in my view, even if, a lenient view is taken and the petition is allowed by setting aside the impugned order, the order of the Sub-Divisional Officer cannot be faulted with and as such, there is no merit in the petition.

6. In light of the above, petition fails and accordingly dismissed.

(SHARMILA U. DESHMUKH, J.)