

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****NAGPUR BENCH : NAGPUR****CIVIL APPLICATION NO.80/2023 IN C.R.A.ST.NO.14702/2023**

ridhar Mahadeo Bagade through his POA .Vs. Jagannath alias Jagdev s/o
Ramchandra Bagade and Ors.

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

Court's or Judge's orders

Ms N. Bhide, Advocate for applicant.

CORAM : ANIL L. PANSARE, J.

DATE : 07.11.2023

Heard.

Learned counsel for the applicant is seeking to condone the delay of 2065 days in filing civil revision application. She has invited my attention to the order dated 18.07.2023 passed by this Court in Writ Petition No.7737/2018 (meaning thereby that the writ petition was filed in the year 2018), wherein this Court permitted the applicant to withdraw the writ petition with liberty to file civil revision application.

The Court further observed that the applicant may raise ground as regards pursuing the wrong remedy while seeking to condone the delay.

Thus, it appears that the applicant has approached this Court but under writ jurisdiction when the applicant ought to have filed civil revision application. The delay, therefore, is not mala fide.

In view of above and for the reasons set out in the application, the application is allowed. Civil Revision Application be registered as per the rules.

The application is disposed of.

List civil revision application after Diwali Holidays.

(Anil L. Pansare, J.)