



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

926 CIVIL APPLICATION NO. 2525 OF 2024
IN RAST/5646/2024

GOUS MOHIYODDIN MOINODDIN

VERSUS

THE STATE OF MAHARASHTRA THR PRINCIPAL SECRETARY
AND ANOTHER

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Mr. Syed G R, Advocate for Applicant

Mr. B. M. Dhanure, AGP for the Respondent-State

Mr. R. K. Ingole, Advocate for Respondent No.2.

CORAM : RAVINDRA V. GHUGE &
Y. G. KHOBRAGADE, JJ.

DATE : 23rd August, 2024

ORDER:

1. Delay of 2406 days is caused in filing this Review Application.

The Writ Petition was disposed off by a judgment dated 21.06.2017.

2. The learned AGP and the learned Advocate representing the Respondents, vehemently opposed this Civil Application. The contention is that the delay is too long. Sufficient reasoning for seeking condonation is not put forth. The grounds set out do not justify the long delay of 2406 days.

3. The learned Advocate for the Applicant points out that his Petition was fully allowed by judgment dated 21.06.2017. The Petitioner had put forth a prayer for grant of interest @ 12% p.a. in prayer Clause (C) of Writ Petition No. 3294 of 2005. Paragraph No. 7(i) of the judgment dated 21.06.2017 indicates that the Writ Petition is

allowed. Paragraph 7(iii) indicates that Rule is made absolute. Vide Paragraph No. 7 (ii) Respondent No.1 was directed to pay all arrears of pay and allowances as fixed by the order dated 10.05.2002 within four months. The arrears were paid after more than four months. Hence, the Petitioner preferred Writ Petition No. 7041 of 2022 praying for 12% interest on the arrears which are paid by Respondent No.1. A reasoned order was passed by this Court on 22nd September, 2022 and the Petitioner was granted a liberty to file a Review Application.

4. In view of the peculiar facts as recorded above, though the delay appears to be of 2406 days, we do find that the reasons assigned and the facts and circumstances of the case would justify condonation of delay.

5. In view of the above the above, **the Civil Application is allowed.** The delay is condoned.

6. Let the Review Application be registered, subject to removal of the office objections. Thereafter, liberty to circulate.

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan