



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

906 WRIT PETITION NO. 13159 OF 2023

RAMDAS AMBADAS KARDAL AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH PRINCIPAL SECRETARY
AND OTHERS

...
Mr. Sanjay D. Hiwrekar – Advocate for Petitioners
Mr. K.B. Jadhavar – AGP for Respondent Nos.1 to 4, State
Mr. A.A. Puranik – Advocate for Respondent No.5(i) to 5(iv)

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CORAM : KISHORE C. SANT, J.
DATE : 18th DECEMBER, 2024

PER COURT :

1. Heard the parties.
2. At the outset learned Counsel for the petitioners seeks leave to correct the name of deceased respondent No.5 and 5 (iii). Leave granted. Correction be carried out forthwith.
3. This writ petition is directed against the order passed by the learned Additional Divisional Commissioner, Aurangabad dated 06.07.2023, thereby rejecting the application for restoration of revision on the ground of delay. There was delay of four months and sixteen days, that was caused in filing in said application. Learned

Counsel for the petitioners vehemently argued that, the fact of dismissal of the revision was not communicated to the petitioners in time. There was no notice of dismissal served upon them within time. He further submits that, their revision ought to have been restored by condoning the delay in filing the application for restoration of revision. He addressing his grievance on matter. Being revision at authority, the learned Commissioner could have decided the revision on merits. However, the said revision is decided on technical ground. The petition is opposed by the learned Counsel for respondent No.5, now who is represented respondent Nos.5(i) to 5(iv). He submits that, there is no mention of date on which the petitioners got knowledge of the rejection of petition. The petitioners thus pray for allowing of the petition.

4. Learned A.G.P. supports the order passed by the learned Commissioner.

5. Going through the order in the application for condonation of delay it is seen that, the delay is of four months and sixteen days. Sufficient reason was shown by the petitioners for condonation of delay for restoration of revision. There is nothing on record to dismiss the petition and the application before the Commissioner.

Considering that this writ petition is allowed in terms of prayer clause 'C'. The revision application before learned Additional Divisional Commissioner stands restored.

6. The writ petition stands disposed of accordingly.

[KISHORE C. SANT, J.]