



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.10657 OF 2024

IN

REVIEW PETITION NO.6 OF 2024

IN

SECOND APPEAL NO.416 OF 2018

WITH

REVIEW PETITION NO.6 OF 2024

Harishchandra Vishram Kumbhar and Ors.

... Applicant.

In the matter between:

Harishchandra Vishram Kumbhar and Ors.

... Petitioner.

Versus

Government of Maharashtra and Ors.

... Respondents.

Ms. Niyati Sontakke h/f. Mr. Harsh Nishar, for the Applicant-Petitioner.

Mr. Sumit Kothari, for the Respondent No.3.

Coram : Sharmila U. Deshmukh, J.

Date : July 22, 2024

P. C. :

1. Interim Application has been preferred seeking condonation of delay of 39 days caused in filing the Review Petition. Learned counsel appearing for the Applicant submits that the Review Petition could not be filed within time due to ill-health of the Applicant and thereafter, the Applicants approached the concerned Advocate and the present Review Petition has been filed which caused delay of 39 days.

2. Learned counsel appearing for the Respondent No.3 would

submit that the order under review was passed on 9th February, 2024 and the present Review Petition has been filed on 19th April, 2024. He would further submit that no documents have been annexed to the Application to demonstrate that the Applicant was unwell.

3. Considered the submissions and perused the record.

4. The delay in the present case is of 39 days. Although no documents are submitted to demonstrate the ill-health of the Applicant, the delay is not such a colossal delay which would amount to an unexplained inordinate delay.

5. Considering that the Applicant seeks a review of the order, I am inclined to condone the delay of 39 days caused in filing the Review Petition. In light of the above, the Interim Application is allowed. Delay is condoned.

6. List the Review Petition on **9th August, 2024**.

[Sharmila U. Deshmukh, J.]