

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 10475 OF 2024

Shankar Tamma Jadhav	...Petitioner
Versus	
State of Maharashtra Through The Sub Divisional Officer And Ors.	...Respondents

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Mr. Suryajeet P. Chavan, for the Petitioner.

Mr. J. P. Patil, A.G.P. for the Respondent – State.

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CORAM	:	AVINASH G. GHAROTE, J.
DATE	:	30th JULY, 2024

P.C.:

1. At the outset, learned counsel for the petitioner seeks leave to amend to raise a ground, regarding the subsequent supplementing of the reasons to condone the delay issued by the respondent No.1. Leave granted. Amendment may be carried out forthwith.

2. The learned counsel for the petitioner is aggrieved by the order dated 26.04.2024 (Page-59) by which the respondent No.1 has condoned a delay of 54 years in challenging Mutation Entry Nos.1209 and 1201, board dated 16.03.1969, in an appeal filed in December-2023 (Page-50). It is contended that in the appeal filed

by the respondent Nos. 2 to 7 the petitioner, who is now holding the property was not made a party, inspite of the mutation in the name of the petitioner vide Mutation Entry No.944 dated 19.08.2019, and therefore the respondent Nos.2 to 7 were clearly aware, of the rights created in favour of the petitioner.

3. The impugned order indicates that the petitioner is not impleaded as respondent in the appeal, apart from which the order condoning delay is a one line order, which is indicated by the order (Page-59). It is however submitted that it is later on supplemented by reasons, for which a copy of the reasons are tendered across the bar and marked as “X” for the purpose of identification.

4. Issue notice for final disposal, returnable on 19.08.2024.

5. The learned A.G.P. waives notice for the respondent No.1.

6. By way of an ad-interim order, further proceedings before the respondent No.1 shall stand stayed till the returnable date.

(AVINASH G. GHAROTE, J.)