



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 16398 OF 2024

Pralhad Dattatray Jadhav and Others. ...Petitioners.

Versus

Surendranath Dattatray Jadhav and Others. ...Respondents.

Mr. D. D. Rananware for the Petitioner.

Mr. B. B. Dahiphale, AGP for the Respondent-State.

Coram : Sharmila U. Deshmukh, J.

Date : November 12, 2024.

P. C. :

1. By this petition, the challenge is to the order of Sub Divisional Officer [for short "SDO"] condoning the delay of almost 34 years in challenging the mutation entry of the year 1986 which order has been upheld by the State Government.

2. Learned counsel appearing for the Petitioner would point out the explanation tendered in the application for condonation of delay which merely states that because Respondent No.1 had only three daughters and no son, it was difficult to file an appeal. He submits that the said averment does not constitute an explanation muchless a sufficient explanation for condoning the delay of 34 years. He submits that the SDO and the State Government have taken into consideration

the insufficient explanation for condoning the delay, and that too without noticing the fact that on the joint application made by the Petitioners as well as the Respondent No.1, the property was converted into non-agricultural land and the 7/12 extract in respect of the said property was closed.

3. Issue notice to the Respondents returnable on **3rd December, 2024**. In addition to Court notice, advocate for the Petitioner to serve the Respondents by private notice by all possible modes of service and file affidavit of service before the next date.
4. Learned AGP waives notice for the Respondent Nos. 2 and 3.

[Sharmila U. Deshmukh, J.]