



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

Writ Petition (WP) No. 2328 of 2023

Meera Shrikant Ganorkar

Versus

Sub Divisional Officer and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri V.V.Bhangde, Advocate, for the petitioner.

Shri P.P.Pendke, AGP for the respondents/State.

Ms. I.P.Khisti, Advocate for the respondent no.2.

CORAM : ANIL S. KILOR, J.

DATED : 29th APRIL, 2024.

Heard.

2. The order dated 3rd March, 2022 passed by the Sub-Divisional Officer, Amravati condoning the delay of 15 years in filing the revenue appeal, is under challenge in this writ petition.

3. Admittedly, no reasons are recorded by the Sub-Divisional Officer, Amravati while condoning the delay, except observing that the application for condonation of delay is allowed.

4. When the delay is inordinate, the Sub-Divisional Officer was expected to record reason for condoning the delay.

4. Moreover, it appears that the order was passed by the Sub-Divisional Officer, Amravati without hearing the petitioner.

5. In the circumstances, the only option left with this Court is to remand the matter back to the Sub-Divisional Officer, Amravati to decide the application afresh after hearing both the parties. Accordingly, I pass the following order.

- i. The writ petition is partly allowed;
- ii. The order dated 3rd March, 2022 passed by the Sub-Divisional Officer, Amravati is hereby quashed and set aside and the matter is remanded back to the Sub-Divisional Officer, Amravati to decide the application afresh after hearing both the parties;
- iii. The parties are directed to remain present either personally or through their advocates on **8th May, 2024**. Thereupon, the Sub-Divisional Officer, Amravati may hear the parties and decide the application afresh expeditiously and in any case within 15 days therefrom;
- iv. The Sub-Divisional Officer, Amravati may not get influenced by any of the observations made in this petition.

[ANIL S. KILOR, J.]