



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

CIVIL APPLICATION (CAO) NO. 518/2021

IN

WRIT PETITION NO. 2942/2017

Rajkumar s/o Parmanand Katiyari & Ors. Vs. Babarao s/o Matiram Bhakre & Ors.

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. R.A. Bhandakkar, Advocate for applicants

CORAM: BHARAT P. DESHPANDE, J.

DATED : 7th MARCH, 2024

Heard learned counsel for the applicants.

2. This is an application for condonation of delay in filing the review application.

3. The learned counsel for the applicants would submit that Writ Petition No.2942/2017 was decided by this Court vide order dated 24/07/2019, however, the applicants were not aware about the said decision and they informed about this judgment subsequently i.e. in the first week of 2019. The applicants thereafter obtained necessary documents and then preferred the present application.

4. The learned counsel for the applicants would submit that the delay from passing of the judgment till filing of the present application is properly explained supported by the affidavit of the applicant. He submits that the applicants were not knowing about the decision passed by this Court. The applicants are residing at Arvi, District Wardha and

only after the knowledge, have obtained necessary documents and thereafter, presented the review application. He submits that there is no deliberate attempt or intentional attempt to file the review application belatedly.

5. Though the respondents are duly served none appeared.

6. The application discloses the reasons for filing the review application along with the present application for condonation of delay and the fact that the delay has been properly explained on an affidavit.

7. The learned counsel for the applicants is justified in submitting that from March, 2020, due to Covid pandemic, the Hon'ble Apex Court suspended the limitation and, therefore, the explanation for delay till March, 2020 is already existing.

8. The applicants are resident of Arvi, Tah. Arvi, District Wardha also stated that the decision was not communicated to them is fully supported on affidavit. Accordingly, the applicants are succeeded in explaining the delay caused in filing the review application. Accordingly Civil Application (CAO) No. 518/2021 stands allowed. The delay is condoned.

9. Office to register the review application accordingly.

(BHARAT P. DESHPANDE, J.)