



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

1007 WRIT PETITION NO. 12157 OF 2022

KAMALBAI CHANDRAKANT NAGALE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

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Advocate for the Petitioners : Mr. Dond Manoj A.
AGP for Respondent Nos. 1 to 5/State : Mr. P.P.Dawalkar
Advocate for Respondent Nos. 6,7,8,9 and 10 : Mr. Rahul R. Karpe

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CORAM : SIDDHESHWAR S. THOMBRE, J.
DATE : 09.12.2025

PER COURT :

1. Heard the learned Counsel for the respective parties.
2. By way of this petition, the petitioners are assailing the order dated 16.06.2022 passed by the Additional Divisional Commissioner, (Administration) Division Nashik, Nashik in case No RTS/Appeal/152/2021, whereby, the Additional Divisional Commissioner Nashik has refused to condone the delay of 260 days.
3. The learned Counsel for the petitioner submits that as the matter pertains to the condonation of delay, the Appellate Authority ought to have taken liberal approach while dealing with the application for condonation of delay.
4. I have gone through the order passed by the learned Additional Divisional Commissioner, Nashik, wherein, Additional Divisional Commissioner has recorded the findings that the petitioner

has mentioned the delay of 260 days but in fact, there is delay of more than 6 years.

5. I have gone through the order passed by the Additional Divisional Commissioner, Nashik. It reveals that the matter was not decided on merit, therefore, I am inclined to allow the present petition by allowing the application for condonation of delay and setting aside the order passed by the Additional Divisional Commissioner, Nashik.

6. In view thereof, the Writ Petition is allowed. The order dated 16.06.2022 passed by the Additional Divisional Commissioner, (Administration) Division Nashik, Nashik in case No RTS/Appeal/152/2021 is quashed and set aside.

7. As the delay was about 6 years, as observed by the learned Additional Divisional Commissioner, Nashik, the same is condoned subject to cost of Rs. 30,000/- (Rs. Thirty Thousand Only).

8. The cost to be deposited within a period of 2 weeks from today. After depositing of the cost, the same shall be transmitted to the High Court Bar Association Library, Aurangabad.

9. The Additional Divisional Commissioner, Nashik shall register the appeal and decide the same in accordance with the law.

(SIDDHESHWAR S. THOMBRE, J.)