



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

**11 CIVIL APPLICATION NO. 11469 OF 2019
IN RAST/27005/2019**

DIVISIONAL CONTROLLER MSRTC DHULE DIVISION

VERSUS

SURESH NANA PATIL

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Mr. A. B. Dhongade, Advocate for the Applicant

Mr. Umesh Bhadgaonkar, Advocate for sole Respondent

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CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 15.04.2025

PER COURT :-

1. This is an Application by the Employer MSRTC seeking condonation of delay in filing review application.

2. Mr. Dhongade, the learned counsel for the Applicant, submits that the application for review has been filed, seeking review of the Judgment and order dated 25.04.2017. He contends that the judgment was passed by considering the employee as a retired person; however, he was still in service at the relevant time. The application for review has been filed on several grounds mentioned in the review application. However, there is delay in filing the application, which occurred due to procedural

formalities of the Applicant/Corporation. He submits that there was official miscommunication and misunderstanding regarding status of the employee at the relevant time. However, the fact that the employee is still in service even today is crucial for the further decision of the review application.

3. As regards the delay, the main reason put forward is the procedural formalities regarding permissions and approvals for submitting review application. The delay is of 2 years and 93 days, and it is sought to be explained on account of the reasons mentioned in paragraph No.4 of the civil application.

4. Mr. Bhadgaonkar, the learned counsel for the respondent, opposes the application and submits that in the event the delay is condoned it should be subject to heavy costs.

5. Considering the overall circumstances and the reasons mentioned in the application for condonation of delay, the civil application is allowed subject to depositing costs of Rs.3,000/- with the Registry of this Court within a period of one week from today.

6. Civil application is disposed of.

[PRAFULLA S. KHUBALKAR, J.]