



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

910 CIVIL APPLICATION NO. 12020 OF 2022
IN RAST/33556/2021

NAMRATA AKSHAY BHANSALI

VERSUS

**THE DIVISIONAL JOINT REGISTRAR, CO OPERATIVE SOCIETIES,
NASHIK AND OTHERS**

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Advocate for Applicant : Mr. Suryawanshi Kamlakar J.

AGP for Respondents-State : Ms. Vaishali Patil (Jadhav)

Advocate for Respondents No. 5-B and 6 : Mr. A. D. Shinde h/f Mr. V.
A. Pawar

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CORAM : MANJUSHA DESHPANDE, J.

Dated : February 4, 2025

PER COURT :-

1. Present civil application is filed by applicant for condoning the delay of 1740 days caused in filing the Review Petition. The applicant is seeking review of the order passed by this Court in Writ Petition No. 9128 of 2014 which was dismissed on 09.02.2017.

2. The applicant is challenging the legality and correctness of the judgment and order dated 19.07.2014 passed by the Divisional Joint Registrar, Cooperative Societies, Nashik, Division Nashik in Review Application No. R-NIL of 2011 of 2014. The review petitioner is an auction purchaser of the property which was sold in auction by

the bank. According to him, due to rejection of the writ petition his rights have been frustrated though he had purchased the property under the auction for a valuable consideration.

3. Though the order is passed by this Court on 09.02.2017, he could not file Review Application within stipulated time because of the personal difficulties which are mentioned in the paragraph No. 12 of the petition and during the continuance of his difficulties, thereafter, there was lock down declared by the Government in March 2020. Since the applicant is working with the Government Hospital, he could not be relieved from his duties. Hence, there is delay of 1740 days in filing the Review Application.

4. Learned Advocate appearing for respondent No. 5-B and 6 opposes the contention of delay application on the ground that the reasons given by the applicant are not satisfactory.

5. The learned Advocate for the applicant has made submission that he has deposited the amount of Rs. 25,00,000/- with the bank in the year 2011 towards the consideration of the purchase in the auction. So far as that amount is concerned, it is still lying with the said bank, and unless and until there is any order for refund of the same, the bank is not ready to release that amount. Since there is

no reference about the refund of the said amount to the petitioner either in the order of Divisional Joint Registrar, Nashik or even in the order passed by this Court while dismissing the writ petition. Therefore, he is limiting his prayer which is made as an alternative prayer to the extent of refund of amount in in the Review Application.

6. In view of the restricted prayer made by the petitioner, application for condonation of delay is allowed subject to payment of cost of Rs. 10,000/- (Rs. Ten Thousands Only) to the respondents No. 5-B and 6. On depositing the cost within three weeks, the review application to be listed for admission for the purpose of limited prayer made by the petitioner in the application.

7. If the applicant deposited the amount of cost awarded in the application, the respondents No. 5-B and 6 are at liberty to withdraw the same.

8. In view of the above observations, civil application is disposed.

9. List the review petition after three weeks.

(MANJUSHA DESHPANDE, J.)