



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

965 CIVIL APPLICATION NO. 7982 OF 2025
IN RAST/19965/2025

PRAKASH ATMARAM MORE
VERSUS
THE ASSISTANT COMMISSIONER AND OTHERS

Mr. R. A. Tambe, Advocate for the Applicant
Mr. A. D. Sonkawade h/f Mr. A. V. Hon, Advocate for Respondent Nos. 3
and 4.
Mr. S. N. Kendre, AGP for the Respondent/State

CORAM : R. M. JOSHI, J.

DATE : 16th OCTOBER, 2025

P.C. :-

ORDER BELOW CIVIL APPLICATION NO. 7982/2025

1. This Application is for condonation of delay of 85 days in filing the Review Application against the judgment and order dated 11/03/2025 passed by this Court in WP No. 1735/2024.
2. Learned Counsel for the Respondents submits that for the reasons mentioned in the Application, the delay deserves to be condoned.
3. Learned Counsel for the Respondents vehemently opposed the Application.
4. Perusal of the Application indicates that the delay is satisfactorily explained. The delay is not inordinate nor deliberate. Hence, Application stand allowed in terms of prayer clause 'B'.

5. Review Application be registered.

ORDER BELOW REVIEW APPLICATION (ST) NO. 19965/2025

6. Heard.

7. Learned Counsel for the Applicant submits that the order impugned in Writ Petition No. 1735/2024 was passed on the basis of resolution passed by Grampanchayat opposing the allotment of the plots to the Petitioner on the ground of there being proposed constitution house and that in respect of the said proposal the approvals are granted so also the budget is sanctioned and the amount of Rs.4 lakhs was disbursed. Having regard to those facts, the SDO rejected the Application filed by the Petitioner and this Court to confirmed the said order in view of the very same fact. It is his submission that pursuant to the passing of the impugned order by this Court, Applications were moved under the Right to Information Act and information received indicates that the said work has been dropped by the concerned Authorities. It is his submission that in view of the subsequent events of fresh information received subsequently, it is fit case for review of order. He further submits that having regard to these facts, the respondents be directed not to allot the said plots to any third party.

8. Having heard the learned Counsel for the Petitioner, Appellant has made out *prima facie* case to issue notice to the

Respondent. In case, the plots are not allotted to any third party as of today, the same shall not be allotted to any third party till next date of hearing. It is however, clarified that this order shall not be construed as an embargo to the Grampanchayat for development of the said plots on its own.

9. Issue notice to the Respondent, returnable on 21st November, 2025.

10. Learned AGP waives service of notice on behalf of Respondent/State. Mr. A. D. Sonkawade h/f Mr. A. V. Hon, learned Advocate waives service of notice on behalf of Respondent Nos. 3 and 4.

(R. M. JOSHI, J.)

ssp