

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.1505 OF 2024

Vivek Sureshchandra Mehta ... Petitioner

Versus

The Divisional Commissioner Pune ... Respondents
Division and Ors.

WITH

WRIT PETITION NO.1506 OF 2024

Sureshchandra Prakashchandra Mehta ... Petitioner

Versus

The Divisional Commissioner Pune ... Respondents
Division and Ors.

Mr Hrishikesh Shinde, for the Petitioner.

Mr Aditya Deolekar, AGP for Respondent.

**CORAM : M.S. Sonak &
Jitendra Jain, JJ.**

DATED : 7 May 2025

PC:-

1. Heard learned counsel for the parties.
2. The challenge in both these Petitions is to the notices dated 27 September 2023 and 18 October 2023 issued by the Divisional Commissioner requiring the Petitioners to show cause why the Review Petition filed by the Respondent No.2 is not entertained or allowed.

3. Learned counsel for the Petitioner submits that the Review Petitions were filed beyond the prescribed period of limitation. He submits that, even on merits, there is no case for review. Accordingly, he submits that the impugned notices should be quashed and set aside.

4. Arguments about the bar of limitation or merits can always be raised before the Divisional Commissioner in response to the impugned notices. If there is merit in the arguments or if the review petition is not maintainable or meritless, the same will be dismissed. But there is no reason to interdict the process midway or interfere with or quash the notices at the threshold.

5. If, despite the Petitioner's objections, the Review Petitions are allowed or any order adverse to the interest of the Petitioner is made, it is always open to the Petitioner to take out such proceedings as may be available under the law and reiterate all permissible contentions. However, no case is made out to interfere with the notices, which only call upon the petitioners to respond to the Review Petitions.

6. Thus, these petitions are disposed of by keeping open all objections that the petitioner might have to the entertainability of the Review Petition or the allowing of such Review Petitions on merits.

7. Learned counsel for the Petitioner states that the response to the impugned notices will be filed within a month

from today. This may be filed, and if filed, must be considered according to the law.

8. Learned counsel for the Petitioner then submits that the Divisional Commissioner may be directed to dispose of this Review Petition at an early date. The learned AGP supports this. The Division Commissioner is directed to dispose of these Review Petitions within 6 months of the Petitioner's filing their response to the impugned notices.

9. All issues regarding the bar of limitation, maintainability, merits, merits etc., are left open.

10. Both the Petitions are disposed of. No costs.

(Jitendra Jain, J)

(M.S. Sonak, J)