

AGK

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

WRIT PETITION NO.4557 OF 2025

Shobha Sanjay Talekar & Anr.	... Petitioners
V/s.	
Bharati Sanjay Talekar & Ors.	... Respondents

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Mr. Prashant Darandale for the petitioner.

Mr. Tejesh Dande with Mr. Aniket Shitole, Mr. Bharat Gadhavi, Mr. Sarvesh Deshpande, Mr. Pratik Sabrad, Mr. Vinayak Shelar & Ms. Mansi for respondent No.1.

Ms. Dhruti Kapadia, AGP for respondent No.4-State.

CORAM : AMIT BORKAR, J.

DATED : APRIL 8, 2025

P.C.:

1. Challenge in this writ petition is to an order passed by the Director (Marketing), Maharashtra State, Pune in Appeal No.10 of 2024 partly allowing appeal. However, perusal of the record indicates that ten days' delay in filing appeal was not condoned. In absence of order condoning delay, the Appellate Authority had no power to entertain the appeal on merits. Hence, the impugned order dated 11 March 2025 cannot be sustained.

2. Impugned order dated 11 March 2025 passed by Director (Marketing), Maharashtra State, Pune in Appeal No.10 of 2024 is quashed and set aside.

3. Appeal No.10 of 2024 is restored on the file of Director (Marketing), Maharashtra State, Pune. The Director (Marketing) shall consider application for condonation of delay and only after the delay is condoned, he shall consider the appeal on merits.
4. All contentions raised on both sides are kept open to be agitated before the Director (Marketing).
5. Parties shall appear before the Director (Marketing), Maharashtra State, Pune on 21 April 2025. The Director (Marketing) shall decide the appeal within one month from the date of appearance of the parties.
6. The writ petition stands disposed of in above terms. No costs.

(AMIT BORKAR, J.)