

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 10009 OF 2025

Yedu Alias Chanda Gopala Kale ... Petitioner

V/s.

Siddhanath Temple through ... Respondents
Villages of Mouje Andhali Dadaso
Shankar Kale and Ors.

Mr. Dilip Shinde with Mukund S. Mane, for the petitioner.

Mr. P.V. Nelson-Rajan, AGP, for the Respondent Nos. 72 and 73.

CORAM : N.J. JAMADAR, J.

DATE : 28th JULY 2025

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PC:

1. Heard the learned counsel for the petitioner.
2. The challenge in this petition is to an order passed by the Sub Divisional Officer, Man-Khatav, Satara in RTS Appeal No. 234 of 2024 whereby the learned Sub Divisional Officer was persuaded to condone the delay of about 25 years in filing appeal against certification of Mutation Entry No. 1336 dated 23rd November 1998, thereby setting aside the said Mutation Entry.
3. Prima facie, it does not appear that any application for condonation of delay was filed by the respondents/revision applicants. Nor the Sub Divisional Officer has passed a reasoned order condoning the delay in preferring the revision.

4. The question whether the Sub Divisional Officer could have condoned such a huge delay without there being any application for the same and ascribing justifiable reasons, and by the very same order set aside the Mutation Entry No. 1336 effected on 23rd November 1998, arises for consideration.
5. Issue notice to the respondent nos. 1 to 41.
6. Learned AGP waives notice to respondent nos. 72 and 73.
7. In addition to notice through Court, the petitioners are at liberty to serve the respondent nos 1 to 41 by private service and file an Affidavit of Service.
8. In the meanwhile, there shall be ad-interim relief in terms of prayer clause (b).

(N.J. JAMADAR, J)