



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.3715 of 2023

Vasant Tukaram Kondarwar (Dead), through his L.Rs.

vs.

The Divisional Commissioner, Amravati Division, Amravati and others

*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

Court's or Judge's Orders

*Mr. V.N. Patre, Advocate for the Petitioners.
Mrs. Deepa Charlewar, A.G.P. for Respondent Nos.1 to 4.
Mr. Mohd. Ateeque, Advocate for Respondent No.5.*

CORAM : ROHIT W. JOSHI, J.
DATE : 9th DECEMBER, 2025.

Heard.

02. The present petition takes exception to the order dated 13/10/2022 passed by the Additional Commissioner, Amravati Division, Amravati, rejecting the Revision Application No.314/RTS-64/Brahmangaon/2022 filed by the present petitioners on the ground of maintainability. The order impugned in the revision application was one of condonation of delay in filing the appeal, which had been allowed by the Sub-Divisional Officer and the order passed in appeal preferred by the petitioners against the said order came to be dismissed by the learned Additional Collector.

03. The learned Revisional Authority did not entertain the revision on merits on the ground that as per Section 252 of the Maharashtra Land Revenue Code, 1966, an order allowing application for condonation of delay is accorded finality and, therefore, he had no jurisdiction to entertain the revision in view of Section 259 of the MLR Code. Section 259 of the MLR Code provides that revision against orders which are final and not appealable lies only before the State Government.

04. The controversy is squarely covered by the judgment dated 13/02/2019 passed by this Court (Aurangabad Bench) in Writ Petition No.6966/2017, wherein it has been categorically held that orders relating to condonation of delay do not fall within the purview of Section 252 of the Maharashtra Land Revenue Code, and therefore, a revision before the learned Commissioner is maintainable.

05. In view of the above, the impugned order dated 13/10/2022 is quashed and set aside. Revision Application No.314/RTS-64/Brahmangaon/2022 is restored to the file of the Additional Commissioner, Amravati Division, Amravati. The petitioners are directed to appear before the learned Revisional Authority on 22nd December, 2025.

06. The writ petition is allowed and disposed of in the above terms, with no order as to costs.

JUDGE

**sandesh*