



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

WRIT PETITION NO.3364/2025

Mr. Santosh Shriram Lanjewar

Vs.

Additional Divisional Commissioner, Nagpur Division, Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Shri Kaustubh Deogade, Advocate for petitioner
Shri N.R. Patil, AGP for respondent

CORAM : N.W. SAMBRE AND
SACHIN.S. DESHMUKH, JJ..

DATE : 30.06.2025

Against the recovery ordered by the Chief Executive Officer, Zilla Parishad Gondia, petitioner availed the remedy of appeal before the Additional Commissioner, which was delayed by 233 days.

2. Vide impugned order, the prayer for condonation of delay is rejected.
3. We have perused the reasons cited in the order impugned.
4. The petitioner has cited the reasons viz. he is residing in Naxal affected area and it took some time to consult and appoint a lawyer and thereafter he preferred an appeal against the order.

5. Apart from above, it is claimed that the order of recovery is penal in nature.

6. As against above, Shri N.R. Patil, learned AGP to whom, we have directed to waive notice, would strenuously oppose the prayer alleging that there is no sufficient cause cited in support of prayer for condonation of delay and as such, there is absence of bonafide.

7. We have considered such issues.

8. The fact remains that the petitioner is working in Class-III category, against whom recovery is ordered, which is to be deducted from his monthly salary.

9. Leave apart above subject matter, from the submissions it can be noticed that the petitioner has sought to explain the delay alleging that there was no intentional or deliberate attempt on his part to prefer the appeal at a belated stage.

10. The petitioner, through certain vague reasons, has tried to explain the delay, however, it cannot be said that the causes cited can be said to be germane to the cause.

11. Having satisfied that the petitioner has given bonafide reasons, we deem it appropriate to allow the present writ petition thereby quashing the order dated 28.03.2025. We hereby direct that the delay of 233 days caused in preferring the appeal stands condoned subject to payment of costs of Rs.10,000/- to be deposited with the

Government Pleader Library, High Court, Nagpur, within a period of one week from today.

12. Unless the receipt of payment of costs is produced before the Appellate Authority on the next date of hearing, the Appellate Authority shall presume that the prayer for condonation of delay is rightly rejected.

13. The writ petition is disposed of in the above terms.

(SACHIN C. DESHMUKH, J.)

(N.W. SAMBRE, J.)