



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 1561 OF 2023

BHARTI KASHINATH THOPTÉ
VERSUS
THE CHIEF EXECUTIVE OFFICER AND OTHERS

...

WITH

WRIT PETITION NO. 1560 OF 2023

RUPALI BHANUDAS PAWAR
VERSUS
THE CHIEF EXECUTIVE OFFICER AND OTHERS

...

WITH

WRIT PETITION NO. 5023 OF 2025

SACHIN VITTHAL GHODKE
VERSUS
THE ADDITIONAL COMMISSIONER AURANGABAD AND OTHERS

...

WITH

WRIT PETITION NO. 5024 OF 2025

SAMPAT BHAGWAN EKSHINGE
VERSUS
THE ADDITIONAL COMMISSIONER AND OTHERS

...

Mr. Dashrath R. Dhumal, Advocate for the Petitioner in WP/1560/23 & WP/1561/23

Mr. Sahebrao A. Nagarsoge, Advocate for the Petitioner in WP/5024/25 & 5023/25

Mr. B. A. Shinde, AGP for Respondent/State

Mr. Laxman H. Kawale, h/f Mr. Prashant D. Suryawanshi, Advocate for Respondent Nos.1 And 2 in WP/1560/23 & WP/1561/23

Mr. Pramod A. Pisal, Advocate for Respondent No.1 in WP/1560/23

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CORAM : SIDDHESHWAR S. THOMBRE, J.

Date : 12TH FEBRUARY, 2026

PER COURT :

1. By these petitions, the petitioners challenge orders passed by the Additional Divisional Commissioner, Aurangabad on

25/02/2022 in Appeal No.29/2018, on 23/02/2022 in Appeal No.31/2018, on 25/02/2022 in Appeal No.57/2018 and on 02/03/2022 in Appeal No.71/2018 whereby the applications filed by petitioners seeking condonation of delay was rejected.

2. Learned counsel for petitioners submits that the petitioners were challenging orders passed by the Chief Executive Officer, Zilla Parishad, Beed by filing appeals before the Additional Divisional Commissioner, Aurangabad and for that delay was caused.

3. Learned counsel for respondents submitted that the appeals were not maintainable before the Divisional Commissioner since they are filed against the show-cause notices. Hence, the Additional Divisional Commissioner has rightly rejected the applications.

4. After going through the record, it transpires that the matters were not decided on merits and the Additional Divisional Commissioner has rejected the applications only on the ground of delay caused in filing the appeals. The authority is required to consider the matter on its own merits after hearing both the sides. Considering the averments made in the applications, the delay caused in filing appeals was properly explained. Hence, I am inclined to partly allow the petitions.

5. Writ petitions are partly allowed. Orders passed by the

Additional Divisional Commissioner, Aurangabad on 25/02/2022 in Appeal No.29/2018, on 23/02/2022 in Appeal No.31/2018, on 25/02/2022 in Appeal No.57/2018 and on 02/03/2022 in Appeal No.71/2018, are quashed and set aside. Delay caused in filing the appeals is condoned, subject to the condition that petitioners shall deposit cost of Rs.10,000/- within a period of two weeks from today, with the Advocates' Association of the Bombay High Court Bench at Aurangabad.

(SIDDHESHWAR S. THOMBRE, J.)