



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.16553 OF 2025

Nirav Pravinkumar Shah and Anr.

...Petitioners

V/s.

The State of Maharashtra and Ors.

...Respondents

Mr. Dilip H. Shukla *with Ms. Kashish M. Singhi and Mr. Murtaza Najmi for Petitioner.*

Mrs. Sulbha D. Chipade, *AGP for Respondent Nos.1 and 2-State.*

Mr. Alizain Patel *i/b. M/s. Patel Associates for Respondent No.3.*

CORAM: SANDEEP V. MARNE, J.

DATED: 13 MARCH 2026.

P.C.:

1) Order challenged in the present Writ Petition is passed by the Additional Divisional Commissioner, Konkan Division, condoning delay of 48 days in filing the revision.

2) What has happened in the present case is that the Respondent No.3-Licensee initially filed Writ Petition No.11295 of 2024 directly in this Court challenging the eviction order *inter -alia* on the ground that the same was passed in erroneous exercise of jurisdiction. Writ Petition

was not entertained and the Licensee was granted liberty to avail alternate remedy of revision by order dated 14 August 2024.

3) Mr. Patel, the learned counsel appearing for the Respondent No.3-Licensee submits that if period from the date of filing of Writ Petition No.11295 of 2024 till its decision is excluded, revision application is within limitation.

4) In view of this peculiar fact of the present case, I am not inclined to exercise extraordinary jurisdiction under Article 227 of the Constitution of India. This Court is informed that the Divisional Authority has already reserved the proceedings for passing the order.

5) All contentions of the parties on merits are expressly kept open.

6) With an expectation that Additional Divisional Commissioner shall pass order in an expeditious manner, Writ Petition is **disposed of**.

[SANDEEP V. MARNE, J.]