



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

WRIT PETITION NO.7933/2025

Suresh S/o Lataruji Ramteke

...Versus...

The State of Maharashtra, through its Secretary, Revenue and Forest
Department, Mantralaya, Mumbai – 400032 and another

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

Court's or Judge's orders

Mr. R.D. Dandwate, Advocate for petitioner
Mrs. S.S. Dhote, AGP for respondents/State

CORAM : ROHIT W. JOSHI, J.

DATE : 05/05/2026

1. The present petition takes exception to the order dated 07/11/2025, passed by the Additional Commissioner, Nagpur Division, Nagpur, whereby application for condonation of delay in filing appeal under Section 247 of the Maharashtra Land Revenue Code, 1966 (for short, hereinafter referred to as “MLR Code”) is ordered to be referred to the State Government, since the delay caused is more than five years.

2. The order impugned before the Commissioner is an order passed by the Collector in an original proceeding. Appeal is filed under Section 247 of the MLR Code. The stipulation for seeking sanction of the State Government in case where the order impugned is passed prior to period of five years is incorporated in proviso to Section 257 of the MLR Code. Section 257 of the MLR Code deals with revisional powers. The said provision cannot be made applicable to appeals filed under Section 247 of the MLR Code. As regards

the appeal, there is no such requirement of seeking prior sanction of the State Government for dealing with application for condonation of delay of period of more than five years.

3. In view of the aforesaid, order dated 07/11/2025, passed by the respondent No.2-Additional Commissioner, Nagpur Division, Nagpur in Appeal No.16/SRV 43/Mauza-Navegaon/2025-26 is quashed and set aside. The Additional Commissioner, Nagpur Division Nagpur is directed to decide the application for condonation of delay on its own merits, in accordance with law without seeking sanction of the State Government.

4. The writ petition is allowed and disposed of accordingly with no order as to costs.

(ROHIT W. JOSHI, J.)