

**BEFORE THE PRESIDENT, MAHARASHTRA
REVENUE TRIBUNAL, MUMBAI**

TNC/REV/RAG/7/21

1. Pankaj Vasant Bedekar
2. Sandesh Kusha Badekar
R/o. Boravadi, Tal. Karjat, Dist. Raigad Applicant/s

V/s.

1. Ashok Sitaram Kolambe
R/o. Chandhai, Tal. Karjat, Dist. Raigad
2. Dilip Gajanan Dabholakar
3. Kunda Govind Masurkar
4. Banti Shankar Dhode
R/o. 2 to 4, Near Paras Cloth Stores, Mahavir Peth,
Tal. Karjat, Dist. Raigad
5. Vishwas Trimbak Dabholakar
R/o. Dahivali, Karjat, Dist. Raigad
6. Priya Pramod Upasani
R/o. Dahivali, Tal. Karjat, Dist. Raigad
7. Urmila Laxman Kulakarni
R/o. Dahivali, Tal. Karjat, Dist. Raigad
8. Balkrishna Agarakar
R/o. Dahivali, Tal. Karjat, Dist. Raigad
9. Vidya Shrinivas Rajendra
R/o. Dahivali, Tal. Karjat, Dist. Raigad Respondent/s

Shri. Ganesh Koli, advocate for the revision applicant.

Smt. Pranita Bhangre, advocate for the respondent no.2 to 9.

Shri. Dnyaneshwar Kavale, advocate for respondent no.1.

CORAM :Hon'ble Shri K. U. CHANDIWAL, J.
Heard on :20th January,2023
Dictated/Pronounced on:- 20th January,2023
Transcribed on :- 20th January,2023

:- ORAL JUDGMENT:-

1. Heard finally.


2. The revision applicant has challenge order of Ld. Sub Divisional Officer, Karjat in Tenancy Appeal No. 8/2016 dated 01/12/2020 whereby he has condoned delay of 2 years and 3 months.
3. The matter is travelled to the this Tribunal earlier vide Revision No. 538/2013, and by order dated 02/06/2016, in the revision of the present applicant Pankaj Badekar, the Ld. President, M.R.T. has partly allowed and the order dated 29/08/2013 of Sub Divisional Officer, Panvel was set aside, asking to hear application for condonation of delay.
4. The Ld. Sub Divisional Officer, Karjat in fact situation, noticing that the matter has travelled to different forum, which killed time, and there was no negligence or carelessness on the part of the respondent in the revision, condoned the delay.
5. The reasons assigned by the Ld. Sub Divisional Officer, Karjat for such purposes was just exercise of the discretion U/s. 5 of the Limitation Act 1963, and can't be said that it was inordinate delay or that the respondent was sitting on fence. Hence the order of Ld. Sub Divisional Officer, Karjat condoning delay does not require interference. However, matter is to be made time bound. Hence order.

ORDER

1. Revision No. TNC/REV/RAG/07/2021 is dismissed. The order of Ld. Sub Divisional Officer, Karjat dated 01/12/2020 condoning delay of 2 years and 3 months is maintained.
2. The Ld. Sub Divisional Officer, Karjat Sub Division Karjat is requested to hear the Appeal within three months.
3. Parties to appear before the Ld. Sub Divisional Officer, Karjat on 9th February, 2023, without notice.
4. No costs.

Dictated and pronounced in open court today.

Place :Mumbai
Dated:20/01/2023


(Justice K.U.CHANDIWAL,(Rtd))
President
Maharashtra Revenue Tribunal,
Mumbai