

ITEM NO.4 Court 7 (Video Conferencing) SECTION IX

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 10290/2020

(Arising out of impugned final judgment and order dated 21-02-2019 in WP No. 563/2015 26-11-2019 in CA No. 13747/2019 passed by the High Court Of Judicature At Bombay At Aurangabad)

THE STATE OF MAHARASHTRA & ORS. Petitioner(s)

VERSUS

AADARSH SHIKSHAN PRASARAK MANDAL & ANR. Respondent(s)

(FOR ADMISSION and I.R. and  
IA No. 81534/2020 - CONDONATION OF DELAY IN FILING  
IA No. 81535/2020 - EXEMPTION FROM FILING O.T.)

Date : 01-10-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL  
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. Tushar Mehta, SG  
Mr. Sachin Patil, AOR  
Mr. Rahul Chitnis, Adv.  
Mr. Geo Joseph, Adv.

For Respondent(s) Mr. R.N. Dhorde, Sr. Adv.  
Mr. M. Y. Deshmukh, AOR  
Ms. Manjeet Kripal, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

There is a delay occasioned of 290 days in preferring an appeal against main order and 23 days against the review order. However, on perusal of the order on review, we find that there was delay of 210 in filing the review application. Thus, the State has been negligent in prosecuting its remedies for which there is no appropriate explanation.

We also find on the facts of the given case, it is a gross case. However, we would not like to give our imprimatur to the legal proposition in question, in view of the concern expressed by the learned Solicitor General.

We, thus, dismiss the special leave petition(s) on account of the aforesaid facts leaving the question of law open.

Pending application shall also stand disposed of.

(ASHA SUNDRIYAL)  
AR-CUM-PS

(ANITA RANI AHUJA)  
ASSISTANT REGISTRAR