

**Hon'ble Ravi Malimath, A.C.J.**

**Hon'ble R. C. Khulbe, J.**

Shri Anil Kumar Bisht, learned additional chief standing counsel appearing for the State/ review applicants.

2. Shri Mohd. Umar, learned counsel for the respondents.

3. There is a delay of 474 days in filing the review application. The ground urged is that the file was sent for seeking permission to file an appeal or a review. Thereafter, opinion was furnished that a review application is required to be filed. In the interregnum, the earlier order passed in Special Appeal No.235 of 2014 dated 16.12.2019, was reviewed and recalled. Thereafter, the matter was heard on merits. The said matter was disposed off on 16.12.2019. Thereafter, the instant review application is filed.

4. On considering the reasons assigned, we are of the considered view that the same constitutes sufficient cause. Hence, the delay in filing the review application is condoned. The delay condonation application (CLMA No.1089 of 2019) is allowed.

5. Review application (MCC No.75 of 2019) has been filed seeking to review the order dated 25.08.2017. In terms of the said order, the earlier order dated 09.08.2017 passed in Special Appeal No.235 of 2014 was followed and the appeal was dismissed. The said order

was the subject matter of review, and by the order dated 16.12.2019, Special Appeal No.235 of 2014 and connected matters, were disposed off.

6. The orders under appeal were all set aside and all the special appeals were disposed off accordingly. Hence, it is pleaded that the review application be allowed.

7. There is no dispute by the learned respondents' counsel. In view of the subsequent order being passed by the Division Bench in the aforesaid appeal, the review application is allowed. The order dated 25.08.2017 is reviewed and recalled. The Special Appeal No.13 of 2015 is restored to file. Review application (MCC 75 of 2019) is allowed accordingly.

8. For the reasons assigned in the common order dated 16.12.2019 passed in Special Appeal No.3 of 2015 and connected matters, this special appeal is also disposed off in terms of the said order.

**(R.C. Khulbe, J.)**

**(Ravi Malimath, A.C.J.)**

30.09.2020

B.S./S.S.