

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 5476 OF 2017

Santosh Namdeo Jorvekar and Others ..PETITIONERS

VERSUS

State of Maharashtra and Others ..RESPONDENTS

....

Mr. A.N. Nagargoje, Advocate for petitioner.

Mr. M.B. Bharaswadkar, A.G.P. for respondent - State.

....

CORAM : M.S. SANKLECHA, J.

DATED : 26th APRIL, 2017

ORDER :

1. At the request of learned Counsel for the parties, petition is being disposed of finally at the state of admission.
2. This petition challenges the order dated 24th March, 2017 passed by the Tahsildar, Sangamner. By the impugned order, fine of Rs.1.88 crores has been imposed on the ground that the petitioner had unexplained stock of 5414 Brass Clay for Brick Kilns. Consequently fine in terms of Section 48(7) of the Maharashtra Land Revenue Code, 1966 was imposed.
3. The grievance of the petitioner is that the impugned order is without any reason, passed without hearing the petitioner and also without

considering the petitioner's reply dated 23rd March, 2017 filed with the office of the Tahsildar on the same day.

4. In the above view, the impugned order dated 24th March, 2017 is quashed and set aside. The issue is restored to the file of Tahsildar to pass a fresh order in compliance with principles of Natural Justice. The Tahsildar will pass a fresh order after taking into consideration the petitioner's reply dated 23rd March, 2017 (which is annexed at Exhibit 'D' to the petition at page no. 26) after granting a personal hearing to the petitioner and with reasons in support of the final conclusion arrived.

5. Petition is disposed of in above terms. No order as to costs.

(M.S. SANKLECHA, J.)

SSD