

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

946 WRIT PETITION NO.1827 OF 2023

SHAIKH MAHEBUB SHAIKH KAYYUM
VERSUS
THE STATE OF MAHARASHTRA THROUGH
PRINCIPAL SECRETARY AND OTHERS

...
Advocate for Petitioner : Mr. Deshmukh Bhausahab S.
AGP for the respondent – State : Mr. S.B. Yawalkar
...

**CORAM : MANGESH S. PATIL &
S. G. CHAPALGAONKAR, JJ.**

DATE : 15 FEBRUARY 2023

PC :

The petitioner is challenging the show cause notices dated 18-01-2023, 06-02-2023 issued by the revenue authorities in the purported exercise of the powers under section 48(7) and 48(8) of the Maharashtra Land Revenue Code. These are merely show cause notices which the petitioner is expected to respond to and it is thereafter that the final order is supposed to be passed by those authorities.

2. The sole grievance of the petitioner is based on the decisions of this Court in several matters i.e. common judgment dated 07-04-2022 passed in writ petition no. 2078 of 2021 and connected petitions (Nagpur Bench) and judgment dated 26-04-2022 passed in writ petition no. 4397 of 2022 and connected writ petition and judgment

dated 02-05-2022 passed in writ petition 4961 of 2022 (Aurangabad Bench) to demonstrate as to how, in view of such decisions, he is not liable to face any order under the afore-mentioned provisions.

3. We dispose of the petition by permitting the petitioner to respond to the show cause notices and call upon the revenue authorities to pass appropriate orders after extending him an opportunity of being heard and also by taking into consideration the decisions of this Court in afore-mentioned writ petitions nos. 2078 of 2021, 4397 of 2022 and 4961 of 2022.

[S. G. CHAPALGAONKAR]
JUDGE

[MANGESH S. PATIL]
JUDGE

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