



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 7609 OF 2021

Mr. Chiman R. Patel

..... Petitioner

Vs.

State of Maharashtra
& Another

..... Respondents

**WITH
WRIT PETITION NO. 7611 OF 2021**

Mr. Shankarlal I. Patel

..... Petitioner

Vs.

State of Maharashtra
& Another

..... Respondents

**WITH
WRIT PETITION NO. 7617 OF 2021**

Mr. Nandkishor M. Bhandari

..... Petitioner

Vs.

State of Maharashtra
& Another

..... Respondents

**WITH
WRIT PETITION NO. 7619 OF 2021
WITH
WRIT PETITION NO. 7622 OF 2021**

Mr. Amish N. Chheda

..... Petitioner

Vs.

State of Maharashtra
& Another

..... Respondents

**WITH
WRIT PETITION NO. 7620 OF 2021**

Mr. Bharat B. Diwani

..... Petitioner

Vs.

State of Maharashtra
& Another

..... Respondents

Mr.Prashant Jadhav with Mr. Laxman Gadade i/b. Mrs. Vishakha V.Pandit,
for Petitioner in all Petitions.

Mr.K. S. Thorat, AGP for Respondent-State in all Petitions.

**CORAM: K.R. SHRIRAM, J. &
 FIRDOSH P. POONIWALLA, J.
DATED : 10th AUGUST 2023**

P.C.:

1. In all these Writ Petitions, Mr.Jadhav states that Petitioners are impugning notices issued by Respondent no.2 without hearing Petitioners and for imposing a fine without even considering Petitioners' reply / representation.
2. Mr.Jadhav states that replies were filed to the notices issued under section 329(2) of Maharashtra Land Revenue Code, 1966. It is also alleged in the petitions that Orders have been passed without even granting a personal hearing. In all these matters, Mr.Jadhav submits that Court shall be pleased to quash and set aside notices impugned in the respective petitions.

3. Since demand notices have been issued without considering Petitioners' reply and without granting a personal hearing and the same is not denied in the affidavits in reply, we hereby quash and set aside the impugned notices in these petitions being Notice No.95/2020 dated 11th March 2020 in Writ Petition No.7609 of 2021, 94/2020 dated 11th March 2020 in Writ Petition No.7611 of 2021, 113/2020 dated 9th March 2020 in Writ Petition No.7617 of 2021, 122/2020 dated 9th March 2020 in Writ Petition No.7619 of 2021, 114/2020 dated 9th March 2020 in Writ Petition No.7622 of 2021, 120/2020 dated 9th March 2020 in Writ Petition No.7620 of 2021 and remand the matters for *denovo* consideration to Respondent no.2.

4. Respondent no.2 shall consider the responses of Petitioners and after giving a personal hearing, notice whereof shall be communicated atleast five working days in advance, pass such orders as it deems fit, in accordance with law. Respondent no.2 is directed to take fresh decision within three months from today in these petitions.

5. If Petitioners wish to make any additional representations, they may file the same within two weeks from today. We hasten to clarify that we have not make any observation on the merits of the matters.

6. Mr.Jadhav stated that in many similar petitions, Respondent no.2 has not decided the matters.

7. Mr.Thorat states that he will advise Respondent no.2 to decide those

matters also within three months from today. Statement accepted.

8. All Petitions disposed.

(FIRDOSH P. POONIWALLA, J.)

(K.R. SHRIRAM, J.)