

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1497 OF 2022

WITH

WRIT PETITION NO.1493 OF 2022

JSW Steel Limited and Anr.

...Petitioners

Versus

The State of Maharashtra

Through the Principal Secretary

Urban Deve. Dept. and the Principal Secretary

Reve. and Ors.

...Respondents

Mr. Milind Sathe, Senior Advocate with Mr. Saket Mone, Shrey Shah i/b Vidhi Partners for Petitioners in WP 1493/2022 and 1497/2022.

Mr. A.I.Patel, Addl.GP with Mr. S.H.Kankal, AGP for State in WP 1497/2022.

Mr.B.V.Samant, Addl.GP for State in WP 1493/2022.

**CORAM: K. R. SHRIRAM &
DR.NEELA GOKHALE, JJ.**

DATED: 7th December 2023

PC:-

1. After the Petitions were heard for sometime, Dr. Sathe, on instructions, stated Petitioners would make a representation to the Collector to consider the validity of the demands made by the Tehsildar since the Collector has already decided the issue earlier. The challenge in these Petitions is when the Collector has already regularised the structure and the NA user by imposing penalty and Petitioners have already made those payments, could the Tehsildar, who is subordinate to Collector, raise an independent demand.

2. Dr. Sathe states representation will be filed as soon as possible

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and in any case within two weeks from today. The Collector shall within six weeks of receiving the application from Petitioners consider the representation and dispose the same in accordance with law and pass a reasoned order.

Before passing the order, the Collector shall give personal hearing to Petitioners, notice whereof shall be communicated at-least five working days in advance.

3. We clarify that we have not made any observations on the merits of the matter.

4. In case the order of the Collector is adverse to Petitioner, the interim protection granted in the Petitions shall continue for 15 days after the Collector disposes Petitioners' applications.

5. Petitions disposed.

(DR.NEELA GOKHALE, J.)

(K. R. SHRIRAM, J.)