



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9669 OF 2023

Mr. Kisanrao Balasaheb Kale

..... Petitioner

Vs.

The Revenue Minister
State of Maharashtra & Ors.

..... Respondents

Mr.Sushant Prabhune for Petitioner.

Mr.K.S.Thorat, A.G.P. for State

Mr.Sanjay Jadhav, Under Secretary, Revenue & Forest Department,
Mantralaya, Mumbai

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

P.C.:

1. Paragraph (8) to the petition reads as under:

“8. The petitioner states further that the First Hearing in the said revision was conducted on 17/02/2021 thereafter the second hearing was conducted on 27/07/2021, the third hearing was conducted on 25/10/2021, the fourth hearing was conducted on 28/10/2021 and the last hearing for final disposal was conducted on 10/05/2021 after which the matter was closed for orders. However, since then there was been no progress in the matter and no order is passed. The petitioner is running from pillar to post to seek information regarding the status of his revision application but there has been no information and communication from the office of the respondent no.1 Revenue Minister. The petitioner had recently filed an application 15/02/2023 seek requesting to the Revenue

*Minister for conducting a fresh hearing and decide the instant revision expeditiously. However, the respondent no.1 has turned up complete blind eye towards the said Application filed by the petitioner. Hereto annexed and marked as **Exh."B"** are the copies of the hearing Notices in RTS Revision no.3421 of 2021 and **Exh. "C"** is the copy of application filed on 15/02/2023 by the petitioner."*

2. In paragraph 8 of the petition it is averred that Revision Application was heard on 17th February 2021 by Hon'ble Revenue Minister under section 257 of the Maharashtra Land Revenue Code, 1966. Thereafter, second hearing took place on 27th July 2021, third hearing on 25th October 2021, fourth hearing on 28th October 2021 and last and final hearing was held on 10th May 2022 (incorrectly typed as 2021) after which matter was closed for orders.

3. It is also averred in the petition that Petitioner has been running from pillar to post to seek information regarding the status of his Revision Application but there has been no information and communication from the office of the Revenue Minister. It is also averred that application was filed on 15th February 2023 requesting that Minister should conduct a fresh hearing and decide the Revision Application expeditiously.

4. Mr.Prabhune states that on 7th July 2023, a copy of this petition has been served on Respondents. Till date no reply has been filed even to oppose the Petition or even atleast respond to what is averred in paragraph

8 of the petition.

5. At the request of learned A.G.P. matter was kept back to enable him to take instructions. When matter was taken up again Mr.Thorat informed the Court that Mr.Sanjay Jadhav, Under Secretary, Revenue and Forest Department, Mantralaya is present in court and he has instructions to inform the Court that Hon'ble Minister will dispose Revision Application within two months from today. Statement is accepted as an undertaking by Mr.Sanjay Jadhav personally and also on behalf of the Principal Secretary of the Revenue Department. They shall ensure that the Hon'ble Minister will dispose the Revision Application within two months from today.

6. In view of the undertaking given which is accepted, Mr.Prabhune states that the petition could be disposed.

7. We hope that Respondents sincerely comply with the undertaking given to this court. We also clarify that we have not made any observations on the merits of Revision Application filed by petitioner.

8. Before disposing Revision application, Minister shall grant a personal hearing to the parties in Revision Application, notice whereof shall be communicated atleast five working days in advance.

9. The Order to be passed shall be a reasoned order dealing with all submissions.

10. Petitioner's undertaking to remain present at the time and date fixed and not seek an adjournment of the hearing provided five working days

advance notice is given, is accepted.

Once the date is informed hearing shall be held and no request for any adjournment shall be entertained.

11. We also find certain roznama sheets relating to this Revision Application No.3421 of 2021 at Exhibit “E” to the petition in which appearance on behalf of Respondent nos.1 to 9 is noted for hearing on 17th February 2021 and 27th July 2021 but nothing is recorded as to what transpired during the hearing.

12. Mr.Jadhav personally undertakes to the court that henceforth all rozنامas will be properly filled in either by Minister himself or under his instructions. Undertaking accepted.

13. Petition disposed.

(FIRDOSH P. POONIWALLA, J.)

(K.R. SHRIRAM, J.)