

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.1032 OF 2018

Powergrid Corporaton of India Ltd, Hinganghat through its Deputy General Manager Bonod Kumar S/o Rajendra Prasad .Vs. The State of Maharashtra, through its Secretary, Department of Revenue and Forest, Mantralaya, Mumbai and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri D.M. Kale, Advocate for the petitioner.

Shri H.D. Dubey, A.G.P. for the respondents/State.

CORAM : ANIL S. KILOR, J.

DATED : 04/07/2023

1. Heard.
2. The order dated 20.03.2017 passed by the Tahsildar under Section 48(7) of the Maharashtra Land Revenue Code, 1966 (hereinafter referred as "MLR Code") and under Sections 45 and 144 of MLR Code imposing penalty, are under challenge in this writ petition.
3. The only ground raised in this petition is that, without issuing notices or without hearing the petitioner, the impugned orders came to be passed.
4. The learned A.G.P. on instructions, makes a statement that the petitioner is right in saying that no hearing was granted to the petitioner before passing the impugned orders.

5. In the circumstances, I am of the opinion that, without going into the merits of the matter, the petition needs to be allowed only on the ground that, the impugned orders passed are in violation of principle of natural justice. Accordingly, I pass the following order:

The writ petition is partly **allowed**.

6. The order dated 20.03.2017 passed by the Tahsildar in Revenue Case No.72/MLN-37/2016-2017 and order dated 20.03.2017 passed by the Tahsildar in Revenue Case No.59/NAP-36/2016-2017, are hereby quashed and set aside.

7. The matter is remitted back to the Tahsildar for fresh consideration after issuing notice to the petitioner and after hearing the petitioner.

8. The petitioner shall appear before the Tahsildar on **21.07.2023** at **11.00 am**.

JUDGE