



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

905 WRIT PETITION NO. 6206 OF 2024

**BHARAT JANARDHAN GAIKWAD AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
PRINCIPAL SECRETARY AND OTHERS**

...
Shri Pravin S. Dighe, Advocate i/by Shri Dhorde Vikram R.,
Advocate for the Petitioners.

Shri M.M. Nerlikar, AGP for Respondent Nos.1 to 8/State.

...

**CORAM : RAVINDRA V. GHUGE
&
Y. G. KHOBRAGADE, JJ.**

DATE :- 28th June, 2024

Per Court :-

1. After we heard this matter yesterday and noticed that not a single Petitioner was given a notice of hearing before an adverse order of recovery was passed, we called upon the learned AGP to take instructions from the concerned officer since we were inclined to set aside the impugned recovery orders.

2. Today, the learned AGP submits, on instructions from Shri Sunil Ramesh Sawant, Tahasildar, Vaijapur, present in the Court, that since none of these Petitioners were given any

opportunity of hearing, the impugned recovery orders can be set aside. The Authorities would now adhere to the principles of natural justice by issuing notices to the Petitioners and grant them a reasonable opportunity to submit their say. After receiving their written say and on perusing the records, the concerned Authority would pass reasoned orders and serve such orders on the Petitioners.

3. The Petitioners are satisfied.

4. In view of the above, the impugned recovery orders/ notices/ letters dated 05.03.2024, 12.04.2024 and 11.06.2024, are quashed and set aside. Needless to state, the Authorities are at liberty to proceed in pursuance to the statement as recorded above.

5. **The Writ Petition is disposed off.**

kps

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)