

*Shabnoor*

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9199 OF 2022

Abdulhai Jeshmohammad Shaikh ... Petitioner  
V/s.  
Additional Collector, Cum Appellate  
Authority Thane & Ors ... Respondents

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Mr. Tushar Sonawane, for Petitioner.

Mr. Y. D. Patil, AGP, for State/Respondent.

**CORAM : AMIT BORKAR, J.**

**DATED : FEBRUARY 7, 2024**

**P.C.:**

1. The petitioner is challenging order dated 22 September 2021 passed by the Appellate Authority dismissing petitioner's appeal without giving any reason.
2. The exercise of power by Appellate Authority confirming the order requires reasons to be assigned howsoever short it may be. The Appellate Authority also did not apply his mind to the contentions raised by the appellant; no reason was assigned in support of his conclusion.
3. The Apex Court in the case of **M/s. Kranti Associates Pvt. Ltd. And Anr. Vs. Masood Ahmed Khan & Ors**, reported in 2010 (9) SCC 496 elaborated exercise of supply of reasons relying on the

judgment of Constitution Bench of the Apex Court in the case of **S.N. Mukherjee Vs. Union of India & Ors**, reported in 1990 (4) SCC 564. In view of the mandate of the Apex Court to supply reasons even while passing administrative order. The Appellate Authority being quasi judicial order was under obligation to assign the reasons. Hence, impugned order deserves to be set aside.

4. The order dated 22 September 2021 passed by the respondent No.6 in Appeal No.4 of 2021 is quashed and set aside.

5. The Appeal No.4 of 2021 is restored to the file of respondent No.6. Respondent No.6 shall decide the appeal on merits.

**(AMIT BORKAR, J.)**