

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.8445 OF 2024

Parsi Gymkhana Club Mahabaleshwar,
Mahabaleshwar, Dist. Satara .. Petitioner

Vs.

The State of Maharashtra,
Through the Ministry of Revenue & Forest and Ors. .. Respondents

Mr. Y.S. Jahagirdar, Sr. Advocate, with Ms. Sharvari S. Kanetkar and
Mr. Vidyesh Dhamdhare, Advocates for the Petitioner.

Mr. B.V. Samant, Additional Government Pleader, with Mr. S.P. Kamble,
Assistant Government Pleader, for the Respondent-State of Maharashtra.

**CORAM : A.S. CHANDURKAR &
RAJESH S. PATIL, JJ**

DATE : 14TH JUNE, 2024.

PC. :

1. Heard.

2. The challenge raised in this writ petition is to the notice dated 30th May 2024 issued by the Tahsildar calling upon some of the trustees of the petitioner-Trust to show cause as to why the property bearing survey no.233 of MPG Club, Mahabaleshwar, that has been granted on lease, should not be sealed. Further challenge is also raised to the show cause notice dated 3rd June 2024 by which the trustees of the petitioner-Trust have been called upon to explain as to why the lease granted on 13th March 2015 should not be terminated.

3. At the outset we may indicate that insofar as the show cause notice dated 3rd June 2024 is concerned, it would be necessary for the trustees to respond to the same and point out to the Authority as to why the lease

granted on 13th March 2015 should not be terminated. The learned Additional Government Pleader submits that the proceedings in that regard are fixed on 20th June 2024. It is clarified that the Authorities are free to consider the show cause notice and decide the same in accordance with law. All contentions of the petitioner in that regard are kept open.

4. The learned Senior Advocate for the petitioner submits that the premises have been sealed pursuant to the notice dated 30th May 2024 without there being authority of law. According to him, there is no provision under the Maharashtra Land Revenue Code, 1966 to seal the premises that have been leased out, pending consideration of the show cause notice for terminating the lease.

5. Time of one week is granted to respondent nos.1 and 2 to file an affidavit indicating the source of power on the basis of which the action of sealing has been undertaken.

6. Stand over to 21st June 2024.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]