



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

WRIT PETITION NO.100 OF 2024

PANKAJ MURLIDHAR MENE VS THE COLLECTOR, AMRAVATI AND ANOTHER

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

Court's or Judge's Order

Shri Abdul Subhan, Advocate for the Petitioner/s
Shri Dhumale, AGP for the respondent Nos.1 and 2/State

CORAM : ANIL S. KILOR, J.

DATE : 26.02.2024

1. Heard.
2. The order impugned was passed by the Collector, Amravati, forfeiting 337.40 quintals of rice owned by the petitioner and directed to distribute it under the general distribution system.
3. The only ground raised in the present writ petition is that the petitioner was not heard before passing the impugned order.
4. It is submitted that the driver submitted all the relevant documents showing that no illegality was committed and despite the same the impugned order was passed.
5. The learned AGP is not disputing the fact that the petitioner was not heard. However, he is disputing that the documents were submitted by the driver when the truck was intercepted. It is pointed out that when the truck owner and the driver submitted their reply, along with the same, the documents were submitted.

6. Be that as it may, the fact remains that the petitioner was not heard before passing the order impugned, which is admittedly an adverse order having civil consequences. Accordingly, I pass the following order:

- (i) The Writ Petition is **partly allowed**.
- (ii) The impugned order dated 15.12.2023, passed by the Collector, Amravati, is hereby quashed and set aside and the matter is remanded back to the Collector, Amravati to decide the same afresh after hearing the petitioner and the concerned parties.
- (iii) The Collector, Amravati shall decide the matter expeditiously.

[ANIL S. KILOR, J.]