



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

WRIT PETITION NO. 2198 OF 2024

(Mohomad Jahid Mohomad Shafi

Vs.

The State of Maharashtra, Thr. Its Secretary, Revenue and Forest
Department, Mantralaya, Mumbai & Anr.)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. V.B. Bhise, Advocate for the Petitioner.

Mr. Aalap Palshikar, AGP for the Respondents/State.

CORAM: N.R. BORKAR, J.

DATED : 14th JUNE, 2024

Heard.

2. This Petition takes exception to the order dated 27.02.2024 passed by the Respondent No.2/Tahsildar, Akot in Rev.Case No. MNL-37/Akot Part-1/421/2023-24.

3. In the aforesaid proceedings, notice was issued to the present Petitioner and he was asked to appear on 26.02.2024.

4. According to the Petitioner, on 26.02.2024 when he visited the office of the Respondent No.2/Tahsildar, he was informed that all the matters listed on that day would be taken on 01.03.2024 and even notice was published to that effect on the notice board. According to the Petitioner, he thus left the office of Respondent No.2/Tahsildar. According to the Petitioner, when he again visited the office of Respondent

No.2/Tahsildar on 01.03.2024, he was informed that the order is already passed on 27.02.2024.

5. The learned AGP for the Respondents/State, on instructions submits, that the notice (page 19) was published. However, according to the learned AGP for the Respondents/State, the said notice was not in relation to the present proceeding.

6. Be that as it may, the fact remains that the order impugned came to be passed without hearing the Petitioner.

7. In that view of the matter, the impugned order is hereby quashed and set aside. The Respondent No.2/Tahsildar, Akot shall decide the matter afresh in accordance with law.

8. Needless to say that, the Respondent No.2/Tahsildar, Akot shall grant opportunity of hearing including filing of reply, if any, to the Petitioner before passing fresh order.

9. The Petition is **disposed** of in the above terms. No costs.

10. Pending application/s, if any, shall stand disposed of accordingly.

(N.R. BORKAR, J.)