



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

**WRIT PETITION NO. 9016 OF 2025
WITH CIVIL APPLICATION NO. 11579 OF 2025
WITH CIVIL APPLICATION NO. 8043 OF 2025
WITH CIVIL APPLICATION NO. 12116 OF 2025**

Prakashchand Jain Bahuuddeshiya
Sanstha Palaskheda (Bk.),
Tq. Jamner, Dist. Jalgaon,
Through its Secretary,
Manojkumar S/o Prakashchand Jain,
Age : 55 years, Occu: Business,
R/o. Mayur Complex, Jamner,
Tq. Jamner, Dist. Jalgaon.

PETITIONER

VERSUS

- 1) The State of Maharashtra,
Through its Secretary;
Revenue Department, Maharashtra State,
Mantralaya, Mumbai – 32.
- 2) The Collector,
Jalgaon, Dist. Jalgaon.
- 3) The Sub-Divisional Officer,
Jalgaon, Dist. Jalgaon.
- 4) The Tahsildar,
Jamner, Tq. Jamner,
Dist. Jalgaon.
- 5) The Assistant Director,
Town Planning Jalgaon,
Tq. & Dist. Jalgaon.
- 6) The Executive Engineer,
Public Works Department,
Jalgaon, Tq. & Dist. Jalgaon.

RESPONDENTS

Mr. P. R. Katneshwarkar, Senior Advocate i/b Mr. T. M. Venjane, Advocate
for petitioner
Ms. S. S. Joshi, AGP for respondent-State

**CORAM : Smt. Vibha Kankanwadi &
Hiten S. Venegavkar, JJ.**

DATE : 11th November, 2025

ORDER (PER : Hiten S. Venegavkar, J) :- :-

1. The petitioner is a public trust duly registered under the provisions of Maharashtra Public Trusts Act, 1950. The petitioner runs various Educational Institutions which are duly recognized by the State authorities concerned. The petitioner states that the institutions also include a residential hostel and that, since the year 2014, around 2142 students have been taking education in the petitioner's colleges. The colleges are situated on Gut No. 80 and Gut No. 86 at Palaskheda, Tq. Jamner, Dist. Jalgaon. According to the petitioner, the construction of the college buildings and the hostel premises was carried out after obtaining necessary construction permissions, non-agricultural permissions, fire safety approvals and other required sanctions.

2. The petition originally filed sought quashing of notice dated 09.07.2025 issued by the Sub-Divisional Officer, Jalgaon. By way of amendment, a declaration was also sought that the action initiated by the Sub-Divisional Officer and the constitution of an Inquiry Committee

under order dated 26.06.2025 are illegal as being without authority under the Maharashtra Land Revenue Code. The petitioner received notice dated 27.06.2025 from the Sub-Divisional Officer, stating that a complaint raising serious allegations regarding documents submitted by the petitioner at the time of seeking recognition has been received, and that an Inquiry Committee has been constituted. The notice required the petitioner to remain present before the committee on July, 2020 at 3 PM and to produce certain documents. The petitioner applied on 01.07.2020 seeking a copy of the complaint and a copy of the order constituting the committee. On 02.07.2025, a copy of the complaint dated 23.06.2025 and the order dated 26.06.2025 were also furnished. On 04.07.2025, the petitioner sought additional time to collect and submit the documents stating that the records pertain to the period between 2011 and 2022 and that they were required to be obtained from the concerned authorities. According to the petitioner, the request for time was not accepted and the Inquiry Committee visited the college premises on 07.07.2025 and prepared a Panchnama and recorded that certain permissions had not been produced. The committee therefore, directed the petitioner to produce all the documents by 14.07.2025. The petitioner again applied on 08.07.2025 seeking copies of the annexures to the complaint. The petitioner states that these have not been furnished till date. The petitioner also applied on 09.07.2025 to the

Office of the Assistant Director, Town Planning, Jalgaon to obtain certain documents. While the time to submit the documents was to expire on 14.07.2025, the Sub-Divisional Officer issued notice on 09.07.2025 to the Assistant Director, Town Planning and to the Executive Engineer, P.W.D, Jalgaon to carry out measurement of the petitioner's land on 15th July 2025. The present petition thereafter came to be filed in this High Court.

3. We have heard learned counsel for the petitioner, Mr. Katneshwarkar, who submitted that the impugned action has been taken without jurisdiction. It is contended that the Sub-Divisional Officer has acted contrary to the provisions of Maharashtra Land Revenue Code and without there being any authority. It is further submitted that adequate and effective opportunity of hearing has not been afforded to the petitioner, as sufficient time was not granted to produce documents. It is the petitioner's case that all necessary permissions has been obtained and that certain remaining permissions were under process of regularization. Learned counsel submitted that the petitioner's institutions have been functioning since 2014 and that a large number of students would be adversely affected by any precipitated action.

4. Having regard to the submissions, we inquired with the learned GP, Mr. Girase, appearing for the respondents, whether the

authorities would be willing to afford a fresh and effective opportunity to the petitioner to produce documents and to explain its case. Upon instructions from the officers who are present in the court, the learned GP stated that the authorities are willing to grant a fresh hearing to the petitioner and to permit production of all relevant documents and also to conclude the proceedings within two months from the date of this order.

5. Learned counsel for the petitioner has expressed readiness to participate in such hearing and to submit all the relevant material.

6. In view of the statements made by both the sides, we do not find it necessary to adjudicate the petition on merits. The petition can be disposed of by recording the statements and issuing appropriate directions to ensure fairness. The writ petition is accordingly disposed of by passing following terms :-

i) The Sub-Divisional Officer, Jalgaon/the Inquiry Committee shall provide the petitioner a full and effective hearing in respect of notice dated 27.06.2025 and complaint dated 23.06.2025.

ii) The petitioner shall be granted reasonable and sufficient time to submit written submissions and all relevant documents before the personal hearing is conducted.

iii) The Sub-Divisional Officer, Jalgaon/the Inquiry Committee shall conclude the proceedings and pass a reasoned order within a period of two months from the

date of receipt of this order.

iv) Until such decision is taken, no steps shall be taken for demolition of the petitioner's college or hostel buildings.

v) In the event the decision of the Sub-Divisional Officer/ Inquiry Committee is adverse to the petitioner, the same shall remain in abeyance for a further period of 15 days from the date of the decision to enable the petitioner to avail appropriate remedies in accordance with law.

vi) There shall be no order as to costs.

vii) All Civil Applications stands disposed of.

(Hiten S. Venegavkar, J.)

(Smt. Vibha Kankanwadi, J.)

B. S. Joshi