



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

980 WRIT PETITION NO.11738 OF 2025

**JAYPRAKASH SANGANNA MOMLE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for the Petitioner : Mr.A.A.Khande
AGP for the respondent-State : Mr.K.B.Jadhavar
Advocate for Respondent nos.7 to 11 : Mr.B.R.Kedar

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**CORAM : ARUN R. PEDNEKER, J.
DATE : 12.12.2025**

P.C. :

1] The parties are *ad idem* that the impugned order dated 30.07.2025 passed by the Additional Chief Secretary @ Officer on Special Duty [Appeal & Revision], Revenue and Forest, Department, Mantralaya, Mumbai be quashed and set aside as there was no adjudication and the matter ought to have decided by the Authority on merits and not remanded the matter back to the lower authority.

2] Considering the submissions by the parties and having perused the record, *prima facie*, the Court is of the view that the matter ought not have been remitted back by the Authority and the authority should have decided the same on it's own merits. The order of condoning the delay is passed by the Sub-Divisional Officer and the appeal before

the Authority was on merits and the Hon'ble authority concerned should have decided the matter on merits of the case and would not go on the aspect of the delay being condoned by any other authority.

3] In view of the above, the impugned order dated 30.07.2025 passed by the Additional Chief Secretary @ Officer on Special Duty [Appeal & Revision], Revenue and Forest, Department, Mantralaya, Mumbai is quashed and set aside. The matter is remitted back to the same authority. The parties to appear before the authority on 9th January, 2026 as per the convenience of the authority. The Authority to decide the same on its own merits within a period of six months thereafter.

4] Writ Petition is disposed of accordingly.

[ARUN R. PEDNEKER]
JUDGE

DDC