



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1007 WRIT PETITION NO. 12355 OF 2022

SANTOSH CHHABILDAS CHAUDHARY

VERSUS

**THE STATE OF MAHARASHTRA THROUGH SUB DIVISIONAL OFFICER
AND ANOTHER**

...

Mr. Girish V. Wani – Advocate for Petitioner

Mr. D.R. Korde – AGP for Respondents, State

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CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 11.12.2025

PER COURT :

1. Heard learned Counsel for the respective parties.
2. The petitioner challenges the order dated 07.02.2014 passed by the learned Tahsildar, Bhusawal in Tenancy Case No.4/2013, which has been confirmed by the learned Sub-Divisional Officer, Bhusawal in Tenancy Appeal No.3/2015 vide order dated 19.08.2016 and further confirmed by the Maharashtra Revenue Tribunal, Aurangabad in Revision No.21/B/2017 by judgment dated 02.07.2019.
3. Learned Counsel for the petitioner submits that the learned Tahsildar passed the order under Section 84-C(4) and 32-P(2) of the Bombay Tenancy and Agricultural Lands Act, 1948, (for short '*the Act*'). The said order was assailed by the petitioner by filing an appeal under

Section 74 of the Act and the Appellate Authority confirmed the order. Being aggrieved, the petitioner preferred a revision under Section 6 of the Act, which also came to be dismissed in 2019, thereby confirming the earlier orders.

4. I have gone through the order passed by the learned Tahsildar, which is at page 35. It appears that the order has been passed without giving sufficient opportunity of hearing to the petitioner, though notices were issued. While passing the order, reasons have not been recorded. Therefore, without entering into the merits of the matter, the orders passed by the learned Tahsildar, the learned Sub-Divisional Officer and the learned Maharashtra Revenue Tribunal are liable to be quashed and set aside and the proceeding is liable to be restored before the learned Tahsildar.

5. In view of the above, the Writ Petition is allowed. The order dated 07.02.2014 passed by the learned Tahsildar, Bhusawal in Tenancy Case No.4/2013, order dated 19.08.2016 passed by the learned Sub-Divisional Officer, Bhusawal in Tenancy Appeal No.3/2015 and judgment dated 02.07.2019 passed by the Maharashtra Revenue Tribunal, Aurangabad in Revision No.21/B/2017 are quashed and set aside.

6. The petitioner shall appear before the learned Tahsildar, Bhusawal on 29.12.2025.

7. The learned Tahsildar shall provide the relevant documents to the petitioner and after granting a due opportunity of hearing to him, shall pass an appropriate order in accordance with law.

8. It is made clear that, this Court has not recorded any findings on the merits of the petition.

9. All issues are kept open.

[SIDDHESHWAR S. THOMBRE]
JUDGE

Pooja Kale/