

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4871 OF 2024 WITH
CIVIL APPLICATION NO. 5497 OF 2024
IN WP/4871/2024

Tanuja Pandurang Deshmukh And Another
VERSUS

The State Of Maharashtra Through
The Secretary And Others

- Mr. P. S. Chavan, Advocate for the Petitioners
- Mr. N. D. Raje, AGP for the Respondent Nos. 1 to 4/State
- Mr. S. S. Kote h/f Mr. A. V. Hon, Advocate for the Respondent No. 5
- Mr. A. G. Choudhari, Advocate for Respondent No. 6
- Mr. Pratik Kothari, Advocate for Respondent No. 7

CORAM : R. M. JOSHI, J

DATE : MAY 05, 2025

PER COURT :

1. Though the record and proceeding before Additional Commissioner were not placed on record for perusal of this Court, learned Counsel for the Petitioners insisted for hearing. On belief that said proceedings may not be required, he was heard for substantial time. Again during the course of hearing now question arose as to whether the relevant statement of Gramsevak recorded before CEO was available before the Commissioner or not. Since the file before the Commissioner is not produced before this Court for

perusal, this Court is unable to appreciate/ascertain the submissions.

2. Learned AGP, therefore, to ensure that before next date of hearing proceedings before Commissioner be produced before this Court. Learned AGP also to ensure that file of proceeding before Collector is kept in its custody for its production before this Court on next date of hearing.

3. In the aforestated facts and though above order is passed, learned Counsel for Petitioner without any justification kept on insisting upon this Court to take up hearing of Petition in absence of necessary record. This Court has made it absolutely clear that unless record of Commissioner is also perused, it is not possible for the Court to ascertain the correctness or otherwise of the submissions.

4. Pertinently the Petition is filed in April, 2024 and hence, there is no reason or justification for the Counsel for the Petitioner to compel this Court to hear the Petition and that too without perusal of the

necessary document/record.

5. Stand over to 11.06.2025 in urgent category.

(R. M. JOSHI, J.)