

VRJ

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.10203 OF 2023

VAIBHAV
RAMESH
JADHAV
Digitally signed by
VAIBHAV RAMESH
JADHAV
Date: 2025.03.03
19:28:48 +0530

Shivaji Shankar Shinde & Ors.

... Petitioners

V/s.

Baburao Dnyanu Shinde

... Respondent

Mr. Nikhil Wadikar (through V.C.) i/by Mr. Nandu Pawar for the petitioners.

Mr. Rushikesh C. Barge for the respondent.

Ms. Dhruvit Kapadia, AGP for the State.

CORAM : AMIT BORKAR, J.

DATED : MARCH 03, 2025

P.C.:

1. Upon careful perusal of the order dated 21st April 2023, it becomes manifest that the Maharashtra Revenue Tribunal ("MRT") has allowed the revision application without assigning any reasons. It is a settled principle of law that any quasi-judicial authority, while exercising its appellate or revisional jurisdiction, must indicate, at least in brief, the reasoning that has weighed with it in arriving at a particular conclusion. This principle emanates from the fundamental precept of judicial accountability and transparency in decision-making. The Supreme Court, in *S.N. Mukherjee v. Union of India*, (1990) 4 SCC 594, has categorically held that recording reasons is an essential component of a fair

decision-making process. Similarly, in *Kranti Associates Pvt. Ltd. v. Masood Ahmed Khan*, (2010) 9 SCC 496, it was observed that reasons ensure that the authority has applied its mind and enable higher forums to ascertain whether due consideration was given to the relevant aspects. In the present case, the MRT was exercising its revisional jurisdiction under the Bombay Tenancy and Agricultural Lands Act, 1948, and it was incumbent upon it to demonstrate application of mind by stating reasons, even if briefly, for allowing the revision application. The absence of such reasons renders the impugned order legally unsustainable.

2. Consequently, the impugned order dated 21st April 2023 passed by the MRT, Pune in Revision Application No. 5 of 2018 is quashed and set aside, as an order devoid of reasons is violative of the principles of natural justice and cannot withstand judicial scrutiny.

3. The Revision Application No. 5 of 2018 is restored to the file of the MRT, Pune, thereby reinstating the lis for reconsideration on its merits.

4. The MRT, Pune is directed to decide the revision application within a period of three months from the date of appearance of the parties. It is expected that while re-adjudicating the matter, the Tribunal shall assign appropriate reasons while recording its findings in accordance with law.

5. The parties shall appear before the MRT, Pune on 17th March 2025 without the requirement of any fresh notice from the Tribunal.

6. It is clarified that this Court has refrained from entering into the merits of the case, and the MRT, Pune shall decide the revision application afresh strictly in accordance with law, uninfluenced by any observations made herein. The Tribunal shall afford reasonable opportunity of hearing to all concerned parties before rendering its decision.
7. The writ petition stands disposed of in above terms.
8. Pending interlocutory application(s), if any, stand disposed of.

(AMIT BORKAR, J.)