

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10987 OF 2023

Govardhan Pralhad Keche & Anr.Petitioners

Vs.

The State Of Maharashtra & Ors.Respondents

Mr. Bhalchandra S. Shinde, for the Petitioner.

Mr. Prasad P. Kulkarni with Mr. Nakul Shukla, Mr. Tejas Dalvi, and Mr. Amol Deshinge, for Respondent.

Mr. Sanjay D. Rayrikar, AGP fo Respondent Nos.1 to 4-State.

CORAM : S. G. CHAPALGAONKAR, J.

DATED : 9th October 2025

PC.:-

1. The present Writ Petition takes exception to order dated 12th May 2023 passed by Additional Divisional Commissioner, Pune, in Appeal No.21 of 2021.

2. Learned counsel appearing for Petitioner submits that by order dated 31st January 2023, Revision Application filed by Respondent was rejected and order passed by Additional Collector, Solapur in RTS/2R/Appeal/29/2016 dated 31 December 2017 was upheld.

3. However, by impugned order without issuing notice to

Petitioners, entire complexion of final order has been changed. The Revision Application, which was earlier rejected, is now allowed and order of Additional Collector has been canceled.

4. On perusal of record, it can be observed that impugned order is in nature of corrigendum, whereby it is stated that, on account of typing mistake, certain changes are required to be introduced in original order dated 31st January 2023. However, it is difficult to countenance that changes which are sought to be corrected by corrigendum are merely typing error. Even otherwise, if Additional Divisional Commissioner was of the view that such corrigendum is necessary, it was incumbent upon him to at least issue notice to present Respondents and after granting an opportunity of hearing such corrigendum could have been ordered.

6. In light of aforesaid observations, impugned order cannot be sustained in law. Hence, following order:

ORDER

- a. Writ Petition is allowed.
- b. The impugned corrigendum order dated 12th May 2023, passed by Additional Divisional Commissioner, Pune, in Appeal No.21 of 2021 is quashed and set aside.
- c. The matter is relegated back to Additional

Commissioner, Pune, for fresh consideration.

d. If Respondents have filed any application seeking correction of order dated 31st January 2023, Additional Divisional Commissioner may consider same on its own merits, after giving an opportunity of hearing to Petitioners.

e. Parties to appear before Additional Divisional Commissioner on **16th October 2025**.

f. Learned Divisional Commissioner shall grant an opportunity to both sides to put up their stands and pass further orders on merit.

g. Learned AGP shall communicate this order to office of Additional Divisional Commissioner.

h. Looking to narrow controversy, Divisional Commissioner is requested to expeditiously decide application and in any case, within a period of six weeks from today.

(S. G. CHAPALGAONKAR, J.)