

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1848 OF 2024**

Shri. Suresh Shankar Waman & Anr ...Petitioners

Versus

State Of Maharashtra Through Prin. Secretary, ...Respondents
Revenue & Forest Dept. & Ors

Mr. Mohan Gawade, for the Petitioners.

Smt. V.R. Raje, AGP for Respondents.

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : DECEMBER 23, 2025

ORDER :

1. The State shall file an additional affidavit in reply, also dealing with merits, on the basis of the grounds raised in the Petition, on the premise and assumption that the delegation of power under Section 23(2A) of the Mamlatdar's Courts Act, 1906 ("***the Act***") had been validly exercised.

2. That apart, the Learned AGP also indicates that it would be explicitly confirmed in such affidavit that the person to whom the power was delegated would indeed meet all the ingredients of being an Assistant Collector, Deputy Collector or Assistant Commissioner

subordinate to the Collector for purposes of Section 23(a) of the Act. Let such affidavit be filed no later than January 9, 2026.

3. List on *January 12, 2026*.

4. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]