

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6138 OF 2024**

Dilip B. Kurade ... Petitioner
V/s.
Ld. Tahsildar of Satara & Anr. ... Respondents

Mr. Shubham D.i/b Mr. Manoj Patil for the Petitioner.
Mr. A.I. Patel, Addl. G.P. a/w. Smt. G.R. Raghuvanshi, AGP for
the Respondent/State.

**CORAM : M.S. KARNIK &
N.R. BORKAR, J.J.
DATE : 30th JUNE, 2025.**

P.C.

1. Heard learned counsel for the petitioner and learned
Addl.G.P. for the respondents/State.

2. The petitioner is challenging the order dated 20th
February 2024 passed by respondent No.1 – Tahsildar, Satara.
By this order, respondent No.1 - Tahsildar has imposed the
penalty of Rs.20,09,400/- on the petitioner for illegal
excavation of minor minerals.

3. Learned counsel for the petitioner submitted that the
order has been passed in the breach of principles of natural

justice. It is further pointed out that on 31st January 2024, the petitioner had requested for certain documents from respondent No.1 - Tahsildar, however, without supplying the same, respondent No.1 - Tahsildar proceeded to pass the impugned order.

4. Learned Addl.G.P. for the respondents/State opposed the petition.

5 In the impugned order, we noticed that respondent No.1 - Tahsildar refers to the fact that since no written reply was filed by the petitioner, he proceeded to pass the impugned order. In the interest of justice and in the facts of present case, we find it appropriate that an opportunity should be given to the petitioner to respond to the show cause notice as the learned counsel for the petitioner states that the Tahsildar had supplied the documents sought vide representation dated 31st January 2024 after passing of the impugned order and thus the petitioner was unable to file reply. In this view of the matter, we set aside the impugned order and remand the matter back to respondent No.1 - Tahsildar.

6. The petitioner to appear before respondent No.1 - Tahsildar on 7th July 2025 at 11.00 a.m. along with copy of this order. The petitioner to file a reply within a period of two weeks from 7th July 2025.

7. If the petitioner appears before respondent No.1 - Tahsildar on the dates so fixed for hearing of show cause notice, in compliance with the provisions of law and principles of natural justice, respondent No.1 - Tahsildar to decide the show cause notice afresh, on its own merits and in accordance with law within a period of six weeks from 8th July 2025.

8. The petition is, accordingly, allowed. No costs.

(N.R. BORKAR, J.)

(M.S. KARNIK, J.)