

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11503 OF 2024

Jagannath Namdeo Khatal and 4 Ors

...Petitioners

Versus

Santosh Triambak Khatal and 3 Ors

...Respondents

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Ms. Kalyani Mangave *a/w Archana Patil i/b Mr. Manoj A. Patil,
for Petitioners.*

Mr. Rishabh Tiwari *a/w Chaitali Bhogle i/b Mr. Sagar Kasar, for
Respondent Nos.1 & 2.*

Adv. Aloka A. Nadkarni, AGP, *for Respondent-State.*

CORAM : SOMASEKHAR SUNDARESAN, J.

Date : December 4, 2025

ORDER :

1. The core contention in this matter is that after judgment on a revision application had been reserved on June 26, 2023, the officer who heard the revision, demitted office but his successor in office, without hearing both the parties, passed an *ex-parte* order in the revision, revising the earlier order that had been passed in the Petitioner's favour. This was effected on March 21, 2024. A Learned Single Judge of this Court had been pleased to effect a stay on the revision of the impugned order by an order dated August 16, 2024.

2. Today, after the matter was argued for some time, Learned Advocates for the parties jointly submit that they have consensus on having the impugned order set aside by way of remand so that the revisional authority can independently can hear both the parties afresh and take a fresh decision in the matter. In view of the aforesaid, this Petition is allowed, quashing and setting aside the impugned order, leaving it to parties to address the revisional authority afresh on the revision application filed by the Respondent.

3. The parties are directed to appear before the revisional authority on December 17, 2025 before 12:00 noon. The revisional authority shall then issue instructions to them on how to proceed further. It is made clear that all parties should be heard following the principles of natural justice before passing the judgement. The revisional authority is requested to hear the revision as expeditiously as possible subject to the constraints of his roster.

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.]