IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1258 OF 2025

M/s.AUM Developers Petitioner
versus
The State of Maharashtra and others Respondents

Mr.Anil Anturkar, Senior Advocate, with Mr.Drupad S.Patil, Ms.Minal Chandnani for Petitioner.
Mr.O.A.Chandurkar, Additional G.P with Ms.M.S.Mane, AGP, for State.
Dr.Yashwantrao Vasantrao Mane, SDO, Haveli, present.

CORAM : AMIT BORKAR, J.

DATE : 10th March 2025

PC :

1. The Sub Divisional Officer (hereinafter referred to as "the SDO"), who had passed the Order dated 24th January 2025, is personally present before this Court. He has made a categorical statement that the said Order dated 24th January 2025 shall be withdrawn. The statement tendered by the SDO is taken on record and is hereby accepted. In view thereof, no further adjudication is presently necessitated on that limited aspect.

2. Notwithstanding the withdrawal of the impugned Order, the instant Petition projects a larger and significant question: namely, the degree of transparency and procedural fairness expected from the authorities exercising powers under the Maharashtra Land Revenue Code, 1966 (hereinafter "MLRC"), particularly in the context of Section 237(2) of the MLRC and the attendant stipulations prescribed under the MLRC Manual. It is imperative that revenue authorities, while discharging quasi-judicial functions, adhere scrupulously to principles of natural justice and maintain robust transparency in their procedures.

3. It has been consistently held by the Hon'ble Supreme Court that quasi-judicial and administrative orders must not only be just but must also appear to be just in the eyes of the public. In **A.K. Kraipak vs. Union of India, (1969) 2 SCC 262**, the Apex Court underscored that even administrative orders affecting rights of parties should be tested on the anvil of fairness, good conscience, and proper procedure. This Court takes guidance from the said principle to hold that decisions rendered under the MLRC must reflect due compliance with statutory mandates as well as the cardinal rule of transparency in administrative functioning.

4. Hence, let notice be issued to Respondent Nos.4 to 6, returnable on 24th March 2025. The Petitioner is at liberty to serve the notice through Hamdast and facilitate prompt communication to the said Respondents.

5. Further, it is directed that, in the interim, all quasi-judicial orders passed by the Revenue Authorities in matters arising under Sections 149 and 150 of the MLRC shall strictly comply with the Government Resolution dated 18th January 2022 in its entirety. In particular, the direction therein to upload such orders on the same day on the official website of the State Government, viz. **eqjcourts.gov.in**, shall be observed without fail. This measure is vital to ensure that decisions rendered by the Revenue Authorities are readily accessible to all stakeholders, thereby fostering accountability and transparency.

6. Stand over to 24th March 2025.

(AMIT BORKAR, J.)

MST