

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5588 OF 2025

Abdul Mutalib L Sayed ...Petitioner
Versus
The State of Maharashtra Thr. G.P.& Ors. ...Respondents

Mr. Gaurav Parkar a/w Mr. Krutik Veera for the Petitioner.

Mr. A.I.Patel, Addl.G.P a/w Mrs. M.S.Bane, A.G.P for the Respondent-State.

Mr. Sanjivkumar Dnyanoba Shinde, Sub-Divisional Officer from Raigad Minor Irrigation Sub-Division No.1, Karjat, present.

**CORAM : REVATI MOHITE DERE &
SANDESH D. PATIL, JJ.**
DATE : 23rd SEPTEMBER, 2025

P.C. :

1. By this petition, the petitioner seeks quashing and setting aside of the impugned notice dated 25th March, 2025 issued by the respondent No.2 – Sub-Divisional Officer (Water Resources) Maharashtra Government, Sub-Division-I, Hydro Colony, Taluka –

Karjat, District – Raigad, by which the petitioner's activities i.e. boating services conducted by the petitioner was closed.

2. The grievance of the learned Counsel for the petitioner was that despite several authorities giving their no objection to start with the boating activities including a no objection by the respondent No.2, respondent No.2, for the reasons best known to them, vide order dated 25th March, 2025 closed the boating activities of the petitioner. The reason given was that somebody had gone on a hunger strike seeking closure of the petitioner's boating activities.

3. Admittedly, no show-cause notice was issued to the petitioner and as such, principles of natural justice were not complied with. When the aforesaid fact is brought to the notice of the respondent No.2, the respondent No.2 who is present in the Court informs the learned A.G.P that he will withdraw the said impugned letter dated 25th March, 2025, since the petitioner was not heard before closing down the petitioner's boating activities. Learned A.G.P,

on instructions of the respondent No.2 states that the petitioner can carry on the boating activities pursuant to the permissions granted to the petitioner, and that, in the event, the authority intends to take any action against the petitioner, they will issue a fresh show-cause notice and only after hearing the petitioner, decision will be taken.

4. In view of the statement made by the learned A.G.P, on instructions, nothing survives for further consideration in the aforesaid petition.

5. Petition is accordingly disposed of.

6. We make it clear that we have kept all contentions of all parties, on merits open.

SANDESH D. PATIL, J.

REVATI MOHITE DERE, J.