

Satish Sangar

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.16948 OF 2025**

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M/s.Siddhivinayak Engineers and Contractors ...Petitioner
Through its Partner : Mr.Manoj Borse

Versus

The State of Maharashtra
Through its Revenue and Forest Department
and Ors. _____ ...Respondents

Mr.Shrirang Katneshwarkar a/w Mr.Sandeep Gupta i/b. Mr.Vaibhav
Kulkarni, for Petitioner.

Smt.Ashwini A. Purav, AGP a/w Mr.Shahaji Shinde – ‘B’ Panel, for
Respondents – State.

Mr.Prashant Kumawat – Nayab Tahsiladar.

**CORAM: SUMAN SHYAM &
S. M. MODAK, JJ.**

DATED: 18th DECEMBER 2025.

PC:-

1. The impugned order dated 20th November 2025 has been put under challenge in this proceeding on the ground that despite the order dated 3rd November 2025, no prior notice was served upon the Petitioner before issuing the impugned (modified) order of penalty for a sum of Rs.56,63,070/- (Rupees Fifty Six Lakh Sixty Three Thousand Seventy).

2. Taking note of the plea of the Petitioner, yesterday i.e. 17th December 2025, we had passed an order granting time to the

learned AGP to obtain instructions and inform the Court as to whether, the impugned modified order was preceded by any notice, as directed by the Court.

3. Today, when the matter is called out, the learned AGP appearing for the State, on instructions, from the official present in the Court, submits that no prior notice was served on the Petitioner before issuance of the impugned order dated 20th November 2025 although there was a direction from this Court to do. Learned AGP, therefore, submits that the State be granted leave to withdraw the impugned order with liberty to commence the proceedings afresh by following the directives issued by the Court.

4. Such a prayer of the State cannot be rejected by the Court.

5. In view of the submission made by the learned AGP, the impugned order dated 20th November 2025 shall be deemed to have been withdrawn with immediate effect with liberty as prayed for.

6. Consequently, the Writ Petition has become infructuous and the same is accordingly disposed of.

(S. M. MODAK, J.)

(SUMAN SHYAM, J.)