



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 2528 OF 2025

(Jama Masjid Sansthan, Yavli (Shahid), through its President Vs. The Additional Commissioner, Amravati Division & Ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. T.S. Deshpande, Counsel for the petitioner.
Ms M.S. Naik, A.G.P for respondent nos. 1 to 4/State.
Mr. Nihalsingh Rathod, Counsel for respondent no.5.

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CORAM : ANIL L. PANSARE, J.
MAY 7, 2025

The argument is that the Additional Commissioner has, while exercising powers under Section 257 of the Maharashtra Land Revenue Code, 1966, has dismissed the revision without assigning any reason.

2] The learned Counsel for respondent no.5 submit that the revisional authority has shown concurrence to the findings rendered by the Additional Collector and, therefore, no detailed reasons were required to be assigned. Similar is the argument by the learned A.G.P.

3] To my mind, even if the revisional authority has to concur with the order passed by the Additional Collector, the revisional authority is duty bound to assign reasons as to how the case put forth by the petitioner is not acceptable.

4] In the present case, the revisional authority has reproduced the arguments put forth by both the sides - facts of the case and the order passed by the Additional

Collector and thereafter concluded the order by saying that the findings rendered by the Additional Collector are just and proper. The order does not deal with the arguments made by either side.

5] The Hon'ble Supreme Court in the case of *Assistant Commissioner, Commercial Tax Department, Works Contract And Leasing, Kota Vs. Shukla And Brothers [(2010) 4 SCC 785]*, while highlighting importance of reasoned order/judgment, held in the following terms :

“27. By practice adopted in all courts and by virtue of judge-made law, the concept of reasoned judgment has become an indispensable part of basic rule of law and, in fact, is a mandatory requirement of the procedural law. Clarity of thoughts leads to clarity of vision and proper reasoning is the foundation of a just and fair decision. In Alexander Machinery (Dudley) Ltd. there are apt observations in this regard to say “failure to give reasons amounts to denial of justice”. Reasons are the real live links to the administration of justice. With respect we will contribute to this view. There is a rationale, logic and purpose behind a reasoned judgment. A reasoned judgment is primarily written to clarify own thoughts; communicate the reasons for the decision to the concerned and to provide and ensure that such reasons can be appropriately considered by the appellate/higher court. Absence of reasons thus would lead to frustrate the very object stated hereinabove.”

6] Thus, the Supreme Court, in so many words, has explained the importance of reasoned order/judgment. The Supreme Court proceeds to observe that failure to give reasons amounts to denial of justice and

assigning reasons is a basic rule and is a mandatory requirement of procedural law.

7] Accordingly, the writ petition is allowed. Order dated 17/12/2024 passed by the Additional Commissioner, Amravati, in Revision Application No. 16/LND-22/Yavli Shahid Dist. Amravati/2023 is quashed and set aside. The matter is remanded back to respondent no.1 – Additional Commissioner for consideration afresh in accordance with law and what has been noted in the body of the order.

8] The parties shall appear before respondent no.1 on 13/5/2025 at 11:00 a.m.

9] The petition is disposed of in aforesaid terms. No costs.

(ANIL L. PANSARE, J.)

Sumit