



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

WRIT PETITION NO. 905 OF 2025

(Shivhari s/o Mahadeo Khond Vs. The Additional Collector, Buldhana & Ors.)

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

Court's or Judge's orders.

Mr. A.P. Tathod, Counsel for the petitioner.
Mr. N.S. Autkar, A.G.P. for the respondents/State.

.....

CORAM : ANIL L. PANSARE, J.
JUNE 11, 2025

Having heard for some time, the admitted position is that the petitioner, who is the owner of the JCB under question, has not been given notice and, therefore, question of giving opportunity of hearing did not arise at all. That being so, the order passed by the respondents is in breach of principles of natural justice and is unsustainable.

2] The petition is accordingly partly allowed. Order dated 4/2/2025 passed by respondent no.2 – Sub-Divisional Officer, Khamgaon, in Revenue Case No. MNL-37/ Goulkhed/2024-25, is quashed and set aside. The enquiry is remanded back to respondent no.2 for consideration afresh in accordance with law.

3] The petitioner shall appear before respondent no.2 on 18/6/2025.

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

(ANIL L. PANSARE, J.)

Sumit