



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

WRIT PETITION NO. 2997 OF 2025

(Prajwal Meghraj Tagade Vs. The Additional Divisional Commissioner, Nagpur & Ors.)

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

Court's or Judge's orders.

Mr. Pritesh Atkar, Counsel for the petitioner.
Mr. N.S. Autkar, A.G.P for respondent nos. 1 to 3/State.
Mr. Yogesh Shukla, Counsel for respondent no.5.

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CORAM : ANIL L. PANSARE, J.
JUNE 13, 2025

Heard.

2] The learned Counsel for the petitioner submits that respondent no.2, while conducting enquiry for disqualification of the petitioner, called report of the Tahsildar, which was received pending enquiry. However, since there was some ambiguity, respondent no.2 sought another report from the Tahsildar, and based on the said report, the petitioner came to be disqualified without giving him opportunity to deal with the second report so submitted by the Tahsildar.

3] The learned A.G.P and the learned Counsel for respondent no.5 made an attempt to show that the finding is based on the first report submitted by the Tahsildar, however, the order impugned clearly indicates that the second report dated 24/2/2025 submitted by the Tahsildar has been considered to render a finding that the petitioner, along with his family members, has encroached upon the Government land. The finding has been upheld by respondent no.1 without touching this importance aspect.

4] That being so, both orders are unsustainable, as opportunity was not given to the petitioner to deal with the second report submitted by the Tahsildar.

5] Resultantly, the petition is partly allowed. Order dated 2/6/2025 passed by respondent no.1 in V.P.A. No. 109/2024-25, so also order dated 3/3/2025 passed by respondent no.2 in Case No. 68/M.V.P. 14(1)(J-3) and 16/2021-22, are quashed and set aside. The enquiry is remanded back to respondent no.2 for consideration afresh in accordance with law and what has been stated in the body of the order.

6] The parties shall appear before respondent no.2 on 19/6/2025. Respondent no.2 shall decide the proceedings as expeditiously as possible.

7] The petition is disposed of in above terms. No costs.

(ANIL L. PANSARE, J.)

Sumit