



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
WRIT PETITION NO.3452/2025

Sandip Sambhaji Deulkar .Vs. Sub Divisional Officer, Ralegaon, and anr.

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

Court's or Judge's orders

Mr. A. R. Ingole, Advocate for petitioner.
Mr. A. V. Palshikar, A.G.P. for respondents.

CORAM : ANIL L. PANSARE, J.
DATE : JULY 3, 2025

Heard.

2. The Tahsildar concerned has imposed penalty under Section 48 (7) of the Maharashtra Land Revenue Code, 1966, by relying upon circular dated 05.02.2021, issued by the Ministry of Revenue and Forest Department, Government of Maharashtra, Mumbai, which permits Tahsildar to impose 10% towards royalty for District Mining Fund. The argument is that this circular has been struck down by this Court in *Shree Rajesh Pathak (M/S) Vs. State of Maharashtra and ors.; [2022 (4) Mh.L.J.658]*.

3. Learned A.G.P. has not disputed that the circular under question has been struck down.

4. The order impugned is, therefore, contrary to the law laid down by this Court. The writ petition is accordingly partly allowed. Impugned order dated 22.01.2025 passed by respondent No.2 in Revenue Case No.32/MNL-37/Kavi/2024, mouza Ralegaon, to the extent of imposing of 10% towards royalty in terms of Circular dated 05.02.2021, is quashed and set aside.

5. For other reliefs, the petitioner is at liberty to approach the authority under the Maharashtra Land Revenue Code, 1966

6. The writ petition is disposed of in above terms. No order as to costs.

(Anil L. Pansare, J.)