



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 4240 OF 2025

Marotrao Shrawanji Dadhe Vs. The Additional Collector, Amravati and others

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

Court's or Judge's orders

Shri A.R. Ingole, Advocate for petitioner
Shri N.S. Autkar, AGP for the respondent/State

CORAM : PRAFULLA S. KHUBALKAR, J.

DATED : 14.08.2025

Heard Shri Ingole, learned Counsel for the petitioner as well as learned Assistant Government Pleader for respondents.

2. The petitioner has challenged orders passed by the Tahsildar and the Sub Divisional Officer under the provisions of Section 48 of the Maharashtra Land Revenue Code, by which, penalty is imposed against the petitioner on account of illegal transportation of Murum.

3. The primary contention of the learned Counsel for petitioner is that the impugned order dated 10/07/2025, passed by Sub Divisional Officer, is without notice and prior opportunity of hearing to the petitioner before the penalty of Rs.1,00,000/- is imposed upon the petitioner.

4. Attention of Court is invited to the impugned order to show that there is no reference to issuance of any

notice to the petitioner or grant of opportunity of hearing. On this limited aspect, the learned Counsel for the petitioner submits that the matter needs to be remanded to the Sub Divisional Officer for fresh decision.

5. On perusal of the impugned order, it appears that while exercising powers under Section 48 (8) of the Maharashtra Land Revenue Code for imposition of penalty, the Sub Divisional Officer has not given any notice or opportunity of hearing to the petitioner. Therefore, in the interest of justice to afford one opportunity to the petitioner, the matter needs to be remanded to the Sub Divisional Officer.

6. Only on this count, impugned order dated 10/07/2025, is quashed and set aside. All contentions are kept open.

7. The Sub Divisional Officer, Morshi, Tah. Morshi, District Amravati, is directed to issue notice and afford opportunity of hearing to the petitioner before passing final decision. The proceedings be decided within a period of three weeks from today.

8. The petition is disposed of accordingly.

(PRAFULLA S. KHUBALKAR, J.)