



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

WRIT PETITION NO. 5094 OF 2025

D. P. JAIN AND COMPANY INFRASTRUCTURE PVT. LTD., NAGPUR, THR. AUTH. SIGNATORY, DEWANG D. VAIDYA

...Vs...

STATE OF MAHARASHTRA, THR. PRINCIPAL SECRETARY, PUBLIC WORKS DEPT., MUMBAI AND ORS.

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Shri C.S.Dharmadhikari, Advocate for petitioner.
Shri N.R.Patil, AGP for respondent(s)/State.

CORAM: ANIL S. KILOR AND
RAJNISH R. VYAS, JJ.

DATED : 08th SEPTEMBER, 2025.

Heard learned counsel for the parties.

2. A challenge raised in the present writ petition is to the notice dated 28.07.2025 issued by the Tahsildar for hearing of the proceedings bearing No. M.N.L No. 37/Maslapen/60/2020-2021. In the earlier round of litigation, this Court quashed and set aside the said notice issued under Section 48(7) of the Maharashtra Land Revenue Code, 1966 by observing that the Tahsildar has no authority to issue such notice. It is argued that, therefore, no hearing can be held on non existent notice.

3. Mr. N.R.Patil, learned AGP appearing for the respondent(s)/State makes a statement that the present notice of hearing issued by the Tahsildar will be withdrawn and a fresh notice under Section 48 of the MLR Code will be issued, in view of the authority conferred by the Collector vide order dated 24.06.2025 to issue such notice on the Tahsildar.

4. In that view of the matter, nothing survives for adjudication in the petition. Accordingly, the writ petition is disposed of. No costs.

5. Needless to clarify that the points raised in this petition are kept open.

(RAJNISH R. VYAS, J.)

(ANIL S. KILOR, J.)

B.T.K.