



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

WRIT PETITION NO.6729 OF 2025

BALU SITAB BHASKAR

VERSUS

STATE OF MAHARASHTRA, THR. SECRETARY, REVENUE AND FOREST
DEPT., MUMBAI AND ANOTHER

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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Mr. V.B. Bhise, Advocate for Petitioner.

Mr. N.S. Autkar, AGP for Respondents-State.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATED : 06th NOVEMBER 2025

1. Heard learned Advocate for the petitioner.
2. The petitioner's challenge is to the order dated 20.08.2025, passed by respondent No.2 Sub Divisional Officer, Akot, thereby rejecting the petitioner's application dated 07.08.2025, for removal of remark about the restriction on transfer of land bearing Gut Nos.41, 36/1 and 40/2, belonging to the petitioner.
3. Learned Advocate for the petitioner submits that the impugned order is passed by inferring that the petitioner has not mentioned any reasons in the application seeking removal of the said remark/endorsement. Learned Advocate submits that the position of law in this regard is very well mentioned in the application and respondent No.2 ought to have been given consideration to the position of law and the facts pointed out. Learned Advocate, therefore, submits that the impugned order needs to be given reconsideration by directing respondent No.2 to consider the position of law and the factual aspects.

4. Having regard to the limited controversy involved, issue notice to the respondents, returnable after four weeks.

5. Learned AGP waives service of notice on behalf of both the respondents.

6. Having regard to the limited controversy and considering the fact that the petitioner has mentioned certain reasons in his application dated 07.08.2025, pointing out that the remark needs to be removed from the 7/12 extract with respect to the lands belonging to the petitioner and by considering the legal position, I am of the opinion that respondent No.2 needs to be directed to reconsider the matter.

7. Hence, the impugned order dated 20.08.2025, passed by respondent No.2 is quashed and set-aside. The matter is remanded to respondent No.2 for fresh consideration. Respondent No.2 is directed to take a fresh decision on the petitioner's application dated 07.08.2025, by granting proper opportunity of hearing to the party concerned.

8. The petitioner is directed to appear before respondent No.2 on 24th November 2025 and respondent No.2 is requested to decide the proceedings within one month from the date of appearance.

9. In view of the above, the writ petition is disposed of.

(PRAFULLA S. KHUBALKAR, J.)