



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

WRIT PETITION NO.6242 OF 2025

AYUB S/O JUMMA REGHIWALE

VERSUS

STATE OF MAHARASHTRA, THR. SECRETARY, REVENUE AND FOREST
 DEPARTMENT, MUMBAI AND OTHERS

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. T.H. Bewali, Advocate for Petitioner.
 Ms. P.T. Joshi, AGP for Respondents-State.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATED : 14th OCTOBER 2025

1. Heard learned Advocate for the petitioner.
2. The petitioner's challenge is to the orders passed by respondent Nos.3 and 4, thereby imposing penalty upon the petitioner by invoking the provisions of Section 48(7) and 48(8) of the Maharashtra Land Revenue Code.
3. Learned Advocate for the petitioner submits that, initially, an FIR was lodged by the Executive Engineer of Public Work Department, against an unknown person. On the basis of said FIR, respondent No.2 police station officer has issued a letter dated 04.05.2025 to respondent No.4 Tahsildar, informing thereby that the JCB involved in the offence has been seized. It is pointed out that, by

order dated 03.07.2025, the court of Judicial Magistrate First Class, Mehkar has released the said JCB, belonging to the petitioner. In this background, the Tahsildar has passed the impugned order under Section 48(7) and 48(8) of the Maharashtra Land Revenue Code, thereby imposing penalty upon the petitioner mainly relying upon the letter issued by the police station officer. It is submitted that thereafter, respondent No.4 Sub Divisional Officer has passed the impugned order dated 17.07.2025, by observing that on 02.07.2025, the petitioner's vehicle was intercepted carrying 100 bras Murum/Sand and on that count, penalty is imposed upon the petitioner. The petitioner has raised grievance against both these orders.

4. In view of the controversy involved, issue notice to the respondents, returnable on 17th November 2025.

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

(PRAFULLA S. KHUBALKAR, J.)

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