



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7777 OF 2025

RAMESH PATILBA GAVHAD AND OTHERS
VERSUS
THE DEPUTY DIRECTOR OF LAND RECORD AND OTHERS

Advocate for the Petitioners : Mr. S. P. Shah h/f Mr. P. A. Bhosle
AGP for Respondents-State : Mr. Sarang P. Josh
Advocate for Respondent No. 4 : Senior Counsel Mr. V. D. Hon i/b
Mr. A. V. Hon

...

CORAM : S. G. CHAPALGAONKAR, J.

Date : 16th March, 2026

PER COURT :-

1. The present petitioners filed the petition with following prayer :-

"C. To kindly quash and set aside the order dated 21.05.2025 passed by the Ld. Deputy Director Land Records, Chhatrapati Sambhaji in Survey Appeal No. 113/2025, which is at Annexure H, and for that purpose issue necessary orders;"

2. Mr. Shah, learned counsel for the petitioners, submits that respondent No. 4 filed an appeal before respondent No. 1. Although the petitioners had lodged a caveat, the impugned order was passed without following the principles of natural justice. The order was passed without even issuing notice to the petitioners. Consequently, the petitioners are left with no alternative but to file the present petition.

3. A perusal of the impugned order suggests that it was passed without hearing the petitioners. The Appellate Authority, while exercising its statutory powers to decide the appeal, is expected to follow the principles of natural justice and pass reasoned orders. In the present case, the order was passed without issuing notice to the petitioners.

4. In view of the matter, the writ petition is **allowed** in terms of prayer Clause **(C)**. The matter is remitted to respondent No. 1 for a decision on merits after hearing all concerned parties. The parties to appear before respondent No. 1 on 30.03.2026.

(S. G. CHAPALGAONKAR, J.)

Omkar Joshi