



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

939 WRIT PETITION NO.2343 OF 2026

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|----|-----------------------------|----------------|
| 1. | Ashok Aadhar Patil | |
| 2. | Ravindra Harlal Patil | |
| 3. | Smt. Sakwarbai Harlal Patil | .. Petitioners |

Versus

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|----|---|----------------|
| 1. | The State of Maharashtra
Through the Principal Secretary,
Department of Agriculture,
Mantralaya, Mumbai. | |
| 2. | District Superintendent of Agriculture,
Jalgaon. | |
| 3. | Sub-Divisional Agriculture Officer,
Amalner, District Jalgaon. | |
| 4. | Tehsildar Amalner,
Jalgaon. | .. Respondents |

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Mr. Rohit N. Patil h/f Mr. S. R. Sapkal, Advocate for the Petitioners.
Mr. S. B. Narwade, AGP for Respondents/State.

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**CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.**

DATE : 11 MARCH 2026

ORDER :

- . Present petition has been filed for following relief :-

“A. Quash and set aside the impugned communications/order dated 21.01.2025, 03.04.2025, 19.06.2025, 18.08.2025 and 10.12.2025 (Exhibit-F).”

2. The Petitioners are farmers from Village Lon, Taluka Amalner, District Jalgaon, who had erected Net Sheds during the year 2017–2018 under the Rashtriya Krushi Vikas Yojana. On 12.06.2020, due to heavy rainfall and storm, the Net Sheds were completely destroyed, which fact was duly recorded in a panchanama dated 15.06.2020. The Net Sheds were insured and the insurance claim was settled on 16.07.2020 for an amount of Rs.1,52,418/-, which was insufficient to reconstruct the sheds. Owing to financial hardship and the Covid-19 pandemic, the Petitioners could not reconstruct the Net Sheds. It is the case of the Petitioners that after the elections of Chairman of APMC, Amalner, in which Petitioner No.1 was elected, a complaint dated 23.11.2023 came to be lodged against them. The Petitioners thereafter submitted a detailed reply on 17.01.2024 explaining the aforesaid facts. However, without considering the said explanation, the Respondents issued the impugned communications/orders dated 21.01.2025, 03.04.2025, 19.06.2025, 18.08.2025 and

10.12.2025 directing recovery and mutation of lands. Hence, the present Petition.

3. Heard learned Advocate for the petitioners and learned AGP for the respondents/State.

4. Learned Advocate for the petitioners submits that the impugned communications have been issued by the respondents to them directing creation of charge/mortgage entries on the 7/12 extracts of the petitioners' lands on the allegation of fraud allegedly committed by selling Net Shed material and recovery proceedings have been initiated against the petitioners for an amount of Rs.22,42,885/-. Learned Advocate for the petitioners further submits that the respondent authorities have completely ignored the written explanation dated 17.01.32024 submitted by the petitioners. It is the case of the Petitioners that due to natural calamity i.e. storm and heavy rainfall the Net Sheds have been destroyed and in respect of the same, panchanamas were drawn by the concerned authorities. It is further submitted that the respondent authorities have mechanically issued directions for recovery and mutation of lands without considering the panchanamas. The impugned communications/orders therefore

deserve to be quashed and set aside.

5. At the outset, it is to be noted that there is no dispute about the fact that they were granted Government subsidy and financial assistance for erection of Net Shed structures in village for the purpose of encouraging protected cultivation and improving agricultural productivity. In this backdrop, in the communications under challenge it is alleged that as per the guidelines of seeking benefits of the said scheme, the agriculturists were prohibited from disposal of the said Net Sheds by sale or otherwise. An undertaking was also obtained from them for recovery of the amount of grant with interest if the grant is misused. It is claimed in the said notice that the existence of Net Sheds erected under the project were assessed and since Net Sheds were not found at the place, notices came to be issued to them. The notices further intimate that if the amount of grant sought to be recovered is not deposited then the recovery proceedings would be initiated and amount would be recovered as arrears of land revenue under a Revenue Recovery Certificate (RRC). Perusal of the impugned communications/orders would show that the same are issued after the spot inspection and since it was found that the Net Sheds were not available at the spot, the notices for recovery of grant were

issued in accordance with the undertaking submitted by the Petitioners while accepting the benefits of the project.

6. In above circumstances, we do not find any reason or justification to cause interference in the impugned communications. The Writ Petition stands dismissed.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm