



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

918 WRIT PETITION NO. 5482 OF 2026

HULE CONSTRUCTION PRIVATE LIMITED THROUGH ITS MANAGER
SHRIKANT D KAWADE

VERSUS

THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

...

Mr. M. S. Bhosale, Advocate for the Petitioner

Mr. S. R. Wakale, AGP for Respondent/s – State

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CORAM : AJIT B. KADETHANKAR, J.
(VACATION COURT)

DATE : 02.06.2026

PER COURT :-

1. This petition is filed under Article 227 of the Constitution of India. The petitioner is aggrieved by the order dated 18.05.2026 passed by the Tahsildar, Akole under Section 48(7) of the Maharashtra Land Revenue Code, 1966.

2. Mr. M. S. Bhosale, learned Advocate for the petitioner would submit that the petitioner has undertaken the construction of a percolation tank as per the work entrusted to him by the said authority. He would submit that the contents of the notice dated 18.05.2026 are not specific, but are apparently omnibus in nature. He submits that while the work was entrusted to the petitioner, specific instructions were given to him to store the excavated

material at an appropriate place so as to ensure that the excavated material would not cause any hindrance to the flow of water and would not result in waterlogging.

3. After hearing the matter for some time, Mr. Bhosale, learned Advocate fairly submits that the petitioner has a statutory remedy of filing an appeal/revision before the Sub-Divisional Magistrate/Sub-Divisional Officer under the Maharashtra Land Revenue Code and that the petitioner would file such appeal/revision on or before 12.06.2026. He submits that till the petitioner files such appeal/revision, the authorities be directed not to take any coercive action against the petitioner pursuant to the notice dated 18.05.2026. The Maharashtra Land Revenue Code provides an appellate/revisional remedy to the petitioner to challenge the order passed by the Tahsildar under Section 48 (7) of the Code of 1966. The petitioner has fairly accepted statutory position and has show his willingness to approach such appellate authority.

5. The petitioner may file an appeal/revision before the appropriate authority against the impugned notice/order dated 18.05.2026 on or before 19.06.2026. Till then, in the interest of justice, it is directed that no coercive action shall be taken against the petitioner. If such appeal/revision is filed by

the petitioner, the concerned authority shall deal with such appeal/revision and the stay application, if any, on its own merits and without being influenced by this order. All contentions are kept open.

6. The writ petition stands disposed of.

[AJIT B. KADETHANKAR, J.]

PRW