IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1863 OF 2026

Arvind Mohan Rao ..Petitioner

Versus

Maharashtra Maritime Board & Ors …Respondents

Mr. Rohan Savant, with Aagam Mehta, i/b Shivam Gawde, for the Petitioner.
Mr. Nishigandh Patil, for Respondent Nos. 1 & 4.
Mr. Ankit Lohia, with Yash Momaya, Laveena Tejwani and Prasad Mhamunkar, i/b NDB Law, for Respondent No.2.

CORAM: N. J. JAMADAR, J.
DATE : 17th AUGUST 2026

ORAL ORDER:

1. Heard the learned Counsel for the parties.

2. The challenge in this Petition is to the orders passed by the Regional Port Officer, Bandra Group of Ports.

ARUN RAMCHANDRA SANKPAL

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3. By an order dated 14th June 2026 the Certificate of Registration, came to be initially corrected to show that the Vessel S.B. -Avis Ark is registered in the name company, M/s TIK 158, Enterprises Private Limited.

4. By another order dated 16th January 2026 the certificate was further modified to show the names of the Petitioner and Respondent

No.2, Ms Sandhaya Gupta; the directors of M/s TIK 158 Enterprises Private Limited, as the owners of the said Vessel.

5. The said Vessel was initially registered as an inland vessel in the name of Mr. Arvind Rao, Director of TIK 158 Enterprises Pvt Ltd.

6. The genesis of this Petition and the proceedings before the Port Authority is in the disputes between the Petitioner and Respondent No.2 over the management of the affairs of TIK 158 Enterprises Pvt Ltd. Multiple proceedings have ensued between the parties.

7. In view of the corrections carried out by Respondent No.1 in the purported exercise of power to rectify the Certificate of Registration under Section 28 of the Inland Vessels Act, 2021 ("the Act, 2021"), Respondent No.1 was directed to file an Affidavit to indicate as to whether Respondent No.1 has passed a reasoned order.

8. An Affidavit is filed by Mr. C.J. Lepande, Regional Port Officer, Bandra Group of Ports to the effect that, after providing an opportunity of hearing to the parties, the rectifications in the Certificate of Registration were carried out. Evidently, no reasoned order was passed by the Regional Port Officer.

9. Mr. Lohia, the learned Counsel for Respondent No.2, submitted that the corrections carried out in the Certificate of Registration are purely administrative in nature and it was not absolutely warranted to record the reasons. In any event, Mr. Lohia would submit, the Petitioner

himself had initiated the proposal to record the names of the company as well as both the directors as the registered owners of the Vessel. Respondent No.2 had acceded to the said proposal. Thereafter, the Petitioner resiled from the said proposal. At any rate, since the rectified Registration Certificate indicates the correct position, the Petitioner cannot have grievance, urged Mr. Lohia.

10. Mr. Savant, the learned Counsel for the Petitioner, submitted that the said proposal was made at the stage when the Certificate of Registration was suspended by the Port Authority. Subsequently, this Court passed an order on 16th October 2025, whereby the said suspension order was set aside. Thereafter, Respondent No.2 filed an Application for rectification of the Certificate of Registration. No grounds envisaged by the Section 28 of the Act, 2021 are made out. Therefore, the order of the Regional Port Officer was sans jurisdiction. In any event, it was incumbent upon the Regional Port Officer to pass a reasoned order.

11. Without delving into the merits of the decision taken by the Regional Port Officer, the Petition deserves to be allowed on the sole ground that the Regional Port Officer has not recorded reasons in support of his decisions in rectifying the Certificate of Registration. The requirement of recording the reasons, even when a decision is in exercise of administrative powers, is not an empty formality, where such

decision has civil consequences. The reasons are the soul of the decision. The legality, propriety and correctness of the decision cannot be tested sans reasons.

12. Reliance placed by Mr. Savant on the decision in the case of **Kranti Associates Private Limited and Anr Vs Masood Ahmed Khan and Ors,**[1] wherein it was *inter alia* enunciated that, "in India the judicial trend has always been to record reasons, even in administrative decisions, if such decisions affect anyone prejudicially", appears to be well-founded.

13. Initial registration was in the name of Petitioner albeit in the capacity of the director of M/s TIK 158 Enterprises Pvt Ltd. If there were justifiable grounds for carrying out corrections in the Certificate of Registration, it was incumbent upon Respondent No.1 to pass a reasoned order.

14. For the forgoing reasons, the Petition deserves to be allowed.

15. Hence, the following order:

: O R D E R :

(i) The Petition stands allowed.

(ii) Impugned orders dated 14th January 2026 and 16th January 2026 stand quashed and set aside.

(iii) The Application dated 4th December 2025 filed by Respondent No.2 stands remitted back to the Regional Port

1 (2010) 9 SCC 496.

Officer to hear and decide the same afresh after providing an opportunity of hearing to the parties.

(iv) The parties shall appear before the Regional Port Officer on 27th August 2026.

(v) The Regional Port Officer is requested to pass a reasoned order in accordance with law within a period of four weeks from 27th August 2026.

(vi) All contentions of all the parties, including the contentions of the Petitioner that the correction was sans jurisdiction, and Respondent No. 2 that the Petitioner has given consent for carrying out the corrections in the name of registered owner of the Vessel and the impugned order dated 16th January 2026, reflects the correct position of ownership of the Vessel, are kept open for consideration by the Regional Port officer.

(vii) Both the parties shall maintain decorum before the Regional Port Officer at the time of hearing.

[N. J. JAMADAR, J.]