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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 7402 OF 2025

Raja Dinkar Kelkar Museum ..Petitioner
Versus
The State of Maharashtra & ors ..Respondents

WITH
INTERIM APPLICATION NO.671 OF 2026
IN
WRIT PETITION NO. 7402 OF 2025

Maharashtra State Electricity Transmission
Co. Ltd. .. Applicant

In the matter between

Raja Dinkar Kelkar Museum ..Petitioner
Versus
The State of Maharashtra & ors ..Respondents

Mr. Anil Anturkar, Senior Advocate a/w Mr. Amol Gatane for the
Petitioner.

Smt. R. M. Shinde, AGP for the Respondent – State.

Mr. Girish Godbole, Senior Advocate, Ms. Yogita A. More, Mr.
Prasad A. Jadhav i/b. Ms.Yogita A. More Advocate for the
Intervener in IA No.671 of 2026.

**CORAM : M. S. KARNIK &
S.M. MODAK, JJ.**

DATE : 9th MARCH 2026

PC :

1. Rule. By consent Rule made returnable forthwith. The

learned AGP waives service of Rule. Petition is taken up for final hearing forthwith.

2. Petitioner has impugned Order dated 03.05.2025 passed by the Collector, Pune, thereby resuming the land allotted to the Petitioner, the Notice/Order dated 05.06.2025 issued by the Respondent No.3 for taking over possession of the land and the decision dated 25.05.2025 taken by the Government of Maharashtra in its Revenue Department declining to grant further extension to the Petitioner and directing resumption of the land admeasuring six acres from Survey No. 23/1A of Village Bavdhan, Tal. Mulshi, Dist. Pune which has been granted to the Petitioner by Government Order dated 27.12.2001.

3. Since it is the contention of the Petitioner that the Petitioner has not been heard before passing aforesaid Order dated 25.04.2025 and the consequential Order passed by the Collector, Pune on 03rd May, 2025; the Order of the Government dated 25.04.2025 is quashed and set aside solely on the ground that the Petitioner was not heard by the Government in its Revenue Department. Consequently, the impugned Order dated

03rd May, 2025 passed by the Collector, Pune and the impugned Notice for handing over possession dated 05.06.2025 issued by the Circle Officer are quashed and set aside.

4. It is hereby directed that the Hon'ble Revenue Minister of Government of Maharashtra shall hear and decide the representation of the Petitioner for grant of extension of time as also the opposition of the Petitioner to the proposed resumption of the land. The Petitioner is at liberty to file an additional representation to the Revenue Minister within one week from today. The Revenue Minister is directed to offer an opportunity of personal hearing to the Petitioner / representatives of the Petitioner and pass a reasoned Order in accordance with law. The Hon'ble Revenue Minister is expected to consider all relevant factors including the subsequent developments indicated in the Minutes of Meeting convened by the then Dy. Chief Minister (Finance and Planning), Government of Maharashtra and the communications from the Tourism and Cultural Affairs, Department of the Government of Maharashtra as also other relevant factors.

5. The Applicant in Interim Application No. 671 of 2026 claims that its representation for allotment of same land is also pending for consideration before the Government. Considering the scope of the present Petition, and since the question of locus of the Applicant MSETCL is not been gone into, no opinion is expressed about the aforesaid representation made by MSETCL and all contentions of all parties in that regard are expressly kept open.

6. In view of the aforesaid directions and setting aside of the Government Order dt. 25.04.2025, Interim Application No. 671 of 2026 does not survive for consideration and the same is disposed of. It is made clear that this Court has not gone into the question whether the Applicant in Interim Application No. 671 of 2026 has any locus to oppose the reliefs claimed in the present Petition and that aspect is not adjudicated upon.

7. The Hon'ble Revenue Minister is requested to hear and decide the representation, if so preferred, preferably within a period of eight weeks from the date of communication of this order. In case the decision is adverse to the Petitioner, the same

shall not be given effect to for a period of two weeks from the date of communication of such decision to enable the Petitioner to adopt appropriate remedies as may be available in law and all contentions in that regard are also expressly kept open to be adjudicated in such proceedings, if occasion so arises.

8. So far as prayer clause (d) is concerned, the question of release the fund be considered expeditiously and in accordance with law.

9. Rule is made partly absolute in the aforesaid terms with no order as to costs. It is expressly made clear that this Order may not be construed to be an expression of opinion in respect of rival contentions of all the parties which are kept open.

10. Parties to act on a copy of this Order duly uploaded on the Website of this Court.

(S.M. MODAK, J.)

(M. S. KARNIK, J.)