



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

WRIT PETITION NO.1369 OF 2026

Maharashtra Dugdh Utpadak Sahakari
Mandal Ltd.

... Petitioner

Versus

State of Maharashtra and Ors.

.... Respondents

Adv. S. G. Karandikar i/b. Adv. Jayesh Joshi, for the petitioner.

Mr. Y. D. Patil, AGP, for the respondent-State.

Adv. Prabhavatsan Balan a/w Adv. Prerna Shukla, for respondent
No.6.

Ms. Urmila Patil, Sub-Divisional Officer, Thane, present.

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

DATE : 5th MARCH, 2026

P.C. :

1. Heard learned counsel for the parties.
2. Mr. Karandikar, learned counsel for the petitioner invites
our attention to the order dated 24th June 2025 which reads thus :-

“1. Leave to amend cause title is granted.

2. Amendment to be carried out forthwith.

3. Learned counsel for the petitioner submits that the application which is the subject matter of this petition was closed for orders on 15.03.2024. It is the grievance of the learned counsel for the petitioner that the final orders are yet not passed by respondent No.4. We, therefore, direct respondent No.4 to pass the final orders on the application

which is referred to in prayer 9(a) of the petition within four weeks from the date when this order placed on its record, if not already passed.

4. The writ petition and interim application are disposed of.”

3. This Petition seeks the following substantive reliefs :-

“b. That this Hon'ble Court by issuing appropriate writ of Mandamus and/or any other writ of like nature under Article 226 of Constitution of India thereby directing the Ld. Sub-Divisional Officer, Thane to provide the Minutes of the Meeting/Hearing and the order/direction, if any, passed in the proceedings/meeting/ hearing conducted on 12.11.2025 before Ld. Sub-Divisional Officer, Thane.

c. That this Hon'ble Court by issuing appropriate writ of Mandamus and/or any other writ of like nature under Article 226 of Constitution of India thereby directing the Ld. Sub-Divisional Officer, Thane to take appropriate decision in consonance with the directions of this Hon'ble Court by its judgment and order dated 24.06.2025 in Writ Petition No. 210 of 2025.

4. Learned counsel for the petitioner submitted that despite specific directions of this Court vide order dated 24th June 2025 quoted above, the Sub-Divisional Officer (SDO), Thane has not taken any decision.

5. Learned AGP submitted that the SDO may not be the competent authority to hear the application which is the subject matter of prayer clause (a) and in fact the competent authority in view of the Government Resolution (GR) dated 5th July 2023 is the Additional Chief Secretary, Revenue and Forests Department.

Mr. Karandikar, learned counsel for the petitioner submits that in fact the SDO had fully heard the matter on 12th November 2025, but the final orders were not passed. Learned AGP placed on record a copy of the affidavit-in-reply filed in an earlier Petition viz. Writ Petition No.210 of 2025. Learned AGP submitted that by the GR dated 5th July 2023 the power to decide an application of such a nature is vested with the Additional Chief Secretary, Revenue and Forests Department. It is only because of this reason the SDO did not proceed to pass final orders and in fact had made a request to the State Government seeking guidance.

6. Mr. Karandikar on behalf of the petitioner submitted that the petitioner is interested in having the application decided by the competent authority. Now that it is the stand of the respondents that the competent authority is the Additional Chief Secretary, Revenue and Forests Department, Mr. Karandikar on instructions submitted that the application, which is the subject matter of this Petition could be heard and decided by the competent authority viz. the Additional Chief Secretary, Revenue and Forests Department and the same be done expeditiously.

7. Accordingly, we request Mr. Vikas Kharge, the Additional

Chief Secretary, Revenue and Forests Department to decide the application as early as possible and in any case within a period of eight weeks from 9th March 2026. The petitioner and the respondent No.6 to remain present before Mr. Vikas Kharge, the Additional Chief Secretary, Revenue and Forests Department on 9th March 2026 at 3:00 p.m. along with a copy of this order. The SDO, Thane to ensure that the proceedings in respect of the application are forwarded to Mr. Vikas Kharge, the Additional Chief Secretary, Revenue and Forests Department on or before 9th March 2026. It is made clear that the applicability of the relevant GRs is kept open.

8. All contentions are kept open.
9. The Writ Petition is disposed of.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)