

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

946 WRIT PETITION NO.10535 OF 2022

**M/S YASH CONSTRUCTION COMPANY THROUGH ITS AUTHORIZED
OFFICER ROHAN NANDKISHOR JADHAV
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND
OTHERS**

...

Advocate for Petitioners : Mr.Bagdiya Vishal A.
AGP for Respondents-State : Mr.K.B.Jadhavar

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956 WRIT PETITION NO.10646 OF 2022

**M/S YASH CONSTRUCTION COMPANY THROUGH ITS AUTHORIZED
OFFICER ROHAN NANDKISHOR JADHAV
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND
OTHERS**

...

Advocate for Petitioners : Mr.Bagdiya Vishal A.
AGP for Respondents-State : Mr.K.B.Jadhavar

CORAM : SANDEEP V. MARNE, J.

DATE : 13.10.2022.

PER COURT :

1. Mr. Badgiya learned Counsel appearing for the petitioner does not dispute the position that there is alternative remedy available to the petitioner to challenge the order passed by the Sub Divisional Officer, Viajapur before the Additional Collector. The only grievance of Mr. Bagdiya, is that the Sub Divisional Officer did not afford any opportunity of hearing to the petitioner before passing

order dated 19.09.2022, which is passed merely on consideration of petitioner reply. If the petitioner files an appeal before the Additional Collector, it would be open for the Petitioner to canvas this ground as well in his appeal. The Additional Collector may either himself grant an opportunity of hearing to the petitioner or consider the remanding back the matter to the Sub Divisional Officer for grant of said hearing. No opinion can be expressed in this regard by this Court. With above observations, leaving the remedy of filing appeal open to the petitioner the present petition is disposed of.

2. If the petitioner files an appeal before the Additional Collector within one week, the Additional Collector shall decide it as expeditiously as possible, preferably within a period of 8 weeks from filing of the appeal.

(SANDEEP V. MARNE)
JUDGE

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