2026:BHC-AUG:20261-DB

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4854 OF 2026

Mohan Dagadu Pawar And Others
VERSUS
The State Of Maharashtra Through It Secretary And Others

Mr.Govind Karhale, Advocate for petitioners
Mr.R.S.Wani, AGP for respondents

CORAM : SMT.VIBHA KANKANWADI &
AJIT B. KADETHANKAR, JJ.
DATE : MAY 04, 2026

ORDER :-

Present petition challenges the notice dated 19.12.2025, issued by respondent no.2.

2. Learned AGP rightly points out that it is only a show-cause notice and the petitioner was called upon to give the written submission if he wants to challenge the said notice. It is also then submitted that thereupon, if any order is passed, then certainly it is an appealable order under Section 32B of the Maharashtra Stamp Act.

3. Here, it appears that there was a suit for partition, which was then compromised. The petitioners say that they had made an application for mutation. The impugned notice rather gives the history

differently. It says that the petitioner no.1 had made an application on 01.10.2024 for registration and for payment of the stamp duty. When it is only a show-cause notice, thereby giving the assessment of the amount to be deposited, if at all the petitioners do not agree then they may file the say when the matter would be decided, still it would be an appealable order. At this stage, no case is made for exercise of the powers under Article 226 of the Constitution of India. The petition stands dismissed.

[AJIT B. KADETHANKAR, J.] **[SMT.VIBHA KANKANWADI, J.]**

.....

KBP