

ITEM NO.36

COURT NO.12

SECTION IX

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

**SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 10546/2025**

[Arising out of impugned final/interim judgment and order dated 01-04-2024 in WP No. 11257/2018 passed by the High Court of Judicature at Bombay]

**THE STATE OF MAHARASHTRA THROUGH ITS  
MINISTER FOR REVENUE & ORS.**

**Petitioner(s)**

**VERSUS**

**THE TATA POWER COMPANY LIMITED & ANR.**

**Respondent(s)**

**(IA No. 66405/2025 - CONDONATION OF DELAY IN FILING, IA No. 66406/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 66410/2025 - EXEMPTION FROM FILING O.T.)**

**Date : 21-04-2025 This matter was called on for hearing today.**

**CORAM :**

**HON'BLE MR. JUSTICE SUDHANSHU DHULIA  
HON'BLE MR. JUSTICE K. VINOD CHANDRAN**

**For Petitioner(s)** Mr. Balbir Singh, Sr. Adv.  
Mr. Aaditya Aniruddha Pande, AOR  
Mr. Siddharth Dharmadhikari, Adv.  
Mr. Samrat Krishnarao Shinde, Adv.  
Mr. Bharat Bagla, Adv.  
Mr. Sourav Singh, Adv.  
Mr. Aditya Krishna, Adv.  
Mr. Adarsh Dubey, Adv.

**For Respondent(s)** Mr. Mukul Rohatgi, Sr. Adv.  
Mr. Dhruv Mehta, Sr. Adv.  
Mr. Nitin Saluja, AOR  
Mr. Shri Venkatesh, Adv.  
Ms. Kanika Chugh, Adv.  
Mr. Shryeshth Ramesh Sharma, Adv.  
Mr. Ashutosh Kumar Srivastava, Adv.  
Mr. Suhael Buttan, Adv.  
Mr. Siddharth Nigotia, Adv.  
Ms. Manu Tiwari, Adv.  
Ms. Nishi Sangtani, Adv.  
Mr. Keshav Sehgal, Adv.  
Mr. Abhishek Nangia, Adv.  
Ms. Ananya Dutta, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Delay condoned.

The petitioners-State of Maharashtra had issued a show-cause notice to the respondents under Section 53 of the Maharashtra Land Revenue Code, 1966(for short "the Code") and subsequently an order was passed under Section 34 of the Code. This was challenged by the respondents before the High Court where a favourable order was given which has presently been challenged before this Court by the State of Maharashtra.

Heard Mr. Balbir Singh, learned senior counsel for the petitioners, Mr. Mukul Rohatgi and Mr. Dhruv Mehta, learned senior counsel who appear on caveat for the respondents.

Claims and counter claims have been made by both the parties. All the same, presently we see absolutely no reason to interfere with the order of the High Court as it is limited to the action of resumption of land based on the issuance of show-cause notice under Section 53 of the Code where the High Court has found that notice itself was wrong. We say nothing on the matter as the only issue challenged before this Court is regarding action of resumption of land, which is held to be wrong by the High Court under Section 53 of the Code.

We see no reason for interference in this matter, in exercise of our jurisdiction under Article 136 of the Constitution of India.

The order impugned of the High Court, particularly, last paragraph 18 should be read in the light of what we have stated above.

The present petition is disposed of in the above terms.

Pending application(s), if any, shall also stand disposed of.

**(NIRMALA NEGI)**  
**ASTT. REGISTRAR-cum-PS**

**(RENU BALA GAMBHIR)**  
**ASSISTANT REGISTRAR**