

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

WRIT PETITION NO. 7949 OF 2015

Raju Haribhau Jagtap

.. PETITIONER

VERSUS

The State of Maharashtra
& others

.. RESPONDENTS

Mr. G.V. Patil, advocate for petitioner.
Mrs. A.V. Gondhalekar, AGP for the State.

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CORAM : R.M. BORDE &

V. K. JADHAV, JJ.

DATE : 28TH SEPTEMBER, 2015.

PER COURT :

1. Petitioner is praying for issuance of directions to respondents to refund the amount deposited by him towards royalty for excavation of sand since the petitioner could not excavate the sand as the same was not available in the river bed.

2. Affidavit-in-reply has been presented on behalf of respondents 3 to 5 wherein it has been stated that in gat nos. 12, 14 and 18, there was no sand available for excavation and as such, the representation tendered by petitioner for refund of amount has been forwarded to the Government alongwith letter dated 26.05.2015 by the concerned authorities. The Government is expected to take decision in the matter.

3. In the facts of the case, this petition stands disposed of with directions to respondents 1 and 2 to take decision on the proposal in

respect of refund of amount deposited by petitioner, expeditiously. In the event, petitioner is held entitled to claim refund of amount, the amount so determined shall be disbursed in his favour, as expeditiously as possible, preferably within a period of four months from today. With the direction as above, writ petition stands disposed of.

(V. K. JADHAV)
JUDGE

dyb

(R. M. BORDE)
JUDGE