

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

PUBLIC INTEREST LITIGATION NO.95 OF 2015

Sunil S/o Brijlal Chaudhari,
Age-40 years, Occu:Agri./Business,
R/o-Ashish Park, Near Bus Stand,
At Post & Tq-Taloda, Dist-Nandurbar.

...PETITIONER

VERSUS

- 1) The State of Maharashtra,
Through its Principal Secretary,
Revenue and Forest Department,
Mantralaya, Mumbai-32,
- 2) The Collector, Nandurbar,
Dist-Nandurbar,
- 3) The Additional Collector,
Nandurbar, Dist-Nandurbar,
- 4) The Tahsildar, Shahada,
Tq-Shahada, Dist-Nandurbar,
- 5) The Tahsildar, Nandurbar,
Dist-Nandurbar,
- 6) The Senior Geologist Survey Officer,
Ground Water Survey Office,
Nandurbar, Dist-Nandurbar.

...RESPONDENTS

...
Mr. R.N. Dhorde, Senior Counsel with Mr. V.R.
Dhorde Advocate for Petitioner.
Mr. A.B. Girase, Government Pleader for
Respondent Nos. 1 to 6.
...

WITH

PUBLIC INTEREST LITIGATION NO.104 OF 2015

Baliram S/o Vakra More,
Age-64 years, Occu:Agri.,
R/o-Osarli,
Tq. & Dist-Nandurbar.

...PETITIONER

VERSUS

- 1) The State of Maharashtra,
Through its Principal Secretary,
Revenue & Forest Department,
Mantralaya, Mumbai,
- 2) The Principal Secretary,
Environ Department,
Maharashtra State,
Mantralaya, Mumbai-32,
- 3) The Divisional Commissioner,
Nashik Division, Nashik,
- 4) The District Collector,
Nandurbar,
- 5) The Additional District Collector,
Nandurbar,
- 6) The Tahsildar, Shahada,
Tq-Shahada, Dist-Nandurbar,

- 7) The Tahsildar, Nandurbar,
Tq. & Dist-Nandurbar,
- 8) The Senior Geologist Survey Officer,
Ground Water Supply Office,
Nandurbar, Dist-Nandurbar.

...RESPONDENTS

...

Mr. V.J. Dixit, Senior Counsel with Mr. A.N.
Nagargoje Advocate for Petitioner.
Mr. A.B. Girase, Government Pleader for
Respondent Nos. 1 to 8.

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**CORAM: R.M. BORDE AND
A.I.S. CHEEMA, JJ.**

DATE : 22ND DECEMBER, 2015

ORDER :

1. Both these Public Interest Litigations are arising out of the identical set of facts as in the case of Grampanchayat Naigaon vs. the State of Maharashtra and others, bearing Writ Petition No.555 of 2015 and other companion matters decided on 6th May, 2015, by the Division Bench of this Court.

2. Without entering into the merits of the controversy involved in the Petitions, we deem it appropriate to permit the Petitioners to approach the Sub-Committee at State level constituted in accordance with Clause 17 of the Government Resolution dated 26th May 2011. If the Petitioners tender appropriate representations/complaints to the State Level Sub-Committee within a period of fifteen days from today, the State Level Sub-Committee shall take appropriate decision in the matter in observance of the procedure prescribed in that behalf and after extending an opportunity of hearing to the parties concerned, as expeditiously as possible, preferably within four weeks from the date of receipt of representations/complaints.

3. Until the decision by the State Level Sub-Committee, no further action shall be taken in respect of issuance of authorization for excavation of sand and appropriate directions can

be issued subject to the decision of the State Level Sub-Committee on consideration of representations/ complaints those would be lodged by the Petitioners.

4. With the directions as above, both the Public Interest Litigations stand disposed of.

[A.I.S. CHEEMA, J.]

[R.M. BORDE, J.]

asb/DEC15