

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

PUBLIC INTEREST LITIGATION NO. 39 OF 2016

Ashok Rarajaram Kharkar

.. PETITIONER

VERSUS

The State of Maharashtra
& others

.. RESPONDENTS

Mr. Rajesh Mewana, advocate holding for Mr. K.B. Borde Patil, advocate for petitioner.

Mr. A.B. Girase, GP for the State.

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CORAM : R.M. BORDE &

P. R. BORA, JJ.

DATE : 9th MARCH, 2016.

PER COURT :

1. Petitioner is seeking prohibitory order restraining the respondent-State from auctioning the sand block situate within Dhule district alongside of Tapi river.

2. There is absolutely no material placed on record as to why the State authority shall be restrained from proceeding with the auction of the sand block. The contentions raised in the petition are without any supporting material. Under the policy adopted by the State Government, the authorities are required to advertise the sand block only after securing clearance from the environment department and on consideration of the objections of the villagers. It has not been demonstrated that the procedure prescribed under the Government Resolution has not been adhered to while advertising auction of the sand block. There is also no material to

substantiate that the action of the State Government may lead to certain environmental hazard. There is no scientific study conducted in that regard nor such report is placed on record. No cognizance of the vague allegations made in the petition need to taken without there being any supporting material to substantiate such contentions. The Public Interest Litigation is devoid of substance hence stands rejected.

(P. R. BORA)
JUDGE

(R. M. BORDE)
JUDGE

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