

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4502 OF 2016

TEJASHREE ENTERPRISES THROUGH ITS PARTNER AMBADAS HARIBHAU MADKE
VERSUS
THE DISTRICT MINING OFFICER AHMEDNAGAR AND OTHERS

...
Advocate for Petitioner : Mr. Sambhaji S. Tope
AGP for Respondents: Mr. B.A. Shinde.

CORAM : S.V. GANGAPURWALA &
K.K. SONAWANE, JJ.

DATE : 3rd May, 2016.

PER COURT:

1] Heard. Mr. Tope learned counsel submits that an order is already issued to the petitioner for quarry lease of Gat No. 278, admeasuring 2 Hectares situated at Ranjangaon Mashid, Taluka Parner, District Ahmednagar. Thereafter, pursuant to the order dated 29.9.2015 agreement is also executed on 26.10.2015 after compliance of the terms and conditions. However, respondents are harassing the petitioner and not issuing the transportation challan. The petitioner has complied with all major conditions and even measurement map has been submitted. All compliances are made, still, challans are not issued.

2] Learned AGP submits that condition Nos. 3,5, and 19 of the order dated 29.9.2015 are not complied with. Even the petitioner has deposited only 4% of the sales tax, he is required to deposit 10% of the sales tax. He submits that as the petitioner has not made necessary compliances, challans are not issued.

3] Mr. Tope, learned counsel, on instructions of the petitioner submits that the petitioner would deposit 10% sales tax.

4] Order is already issued to the petitioner on 29.9.2015. Even the agreement is executed on 26.10.2015. It is submitted that even the map prepared by the competent authority has been submitted and all compliance is done. In that view of the matter, the respondents shall issue necessary challan to the petitioner on petitioner making the short-fall of the payment of 10% sales tax, within one week from today. Writ petition is accordingly disposed of. No costs..

[K.K. SONAWANE,J.]

[S.V.GANGAPURWALA,J]

grt/-