

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8621 OF 2015

**DNYANESHWAR GOVINDRAO BHOSALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioner : Mr. Umakant P. Giri.
AGP for Respondent Nos.1,2,4 & 6 : Mr. V. H. Dighe.
Advocate for Respondent No.3 & 5 : Mr. S. B. Ghute.
Advocate for Respondent No.7 : Mr. N. R. Pawade.

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**CORAM : S. V. GANGAPURWALA &
A. M. BADAR, JJ.**

DATE : 15th FEBRUARY, 2016.

PER COURT:

1] We have heard Mr. Giri, learned counsel for the petitioner, learned counsel for respondent Nos. 7 and 8, and Mr. Ghute for respondent Nos. 3 and 5.

2] Learned AGP has filed an affidavit in reply sworn by the SDO, Omerga stating that the Tahsil office has passed an order against respondent Nos. 7 and 8, for payment of penalty amount, so also, the amount towards excess sand excavation totalling to Rs. 34,32,000/-. Respondent Nos. 7 and 8 have filed an appeal against the said order and the same is pending. The parties would be governed by the orders passed by the appellate authority. The appellate authority shall deal with the appeal, in accordance with law, expeditiously and on its own merit. Writ petition is accordingly disposed of. No costs.

**[A.M. BADAR]
JUDGE**

**[S.V. GANGAPURWALA]
JUDGE**

grt/-