

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 12667 of 2016
(Jalinder S/o Ratan Belekar and others Vs. The State of Maharashtra and others)

Mr. N.P. Bangar, Advocate for the Petitioners
Mr. A.S. Shinde, A.G.P. for the respondents/State

CORAM : R.M. BORDE AND
SANGITRAO S. PATIL, JJ.

DATE : 22nd December, 2016

PER COURT :

Heard.

2. The villagers of village Lakhani, Taluka Vaijapur, are objecting to the allotment of the sand block for the purpose of excavation, on ecological grounds. A resolution has been adopted in the Gramsabha of village, in presence of the officer of the Revenue Department raising such objection. It appears that the State Government has taken a decision to conduct auction of the sand blocks adjoining this village. However, since there is opposition from Village Panchayat for excavation of sand within the jurisdiction of this village, it would be proper for the State Government to

consider the objections and issue necessary directions.

2. Clause 17 of the Government Policy drawn on 12.3.2013 provides for remedy of making grievance to the Minister Level Sub-Committee, constituted for the purpose of consideration of the grievances. It is expected of the Minister Level Sub-Committee to take appropriate decision as regards the grievances raised by the villagers. In view of clause 17 contained in the Government Resolution dated 12.3.2013, it would be open for the petitioners to approach the Minister Level Sub-Committee, constituted for consideration of the grievances. If the petitioners make appropriate representation within a period of seven days from today, the Sub-Committee shall take appropriate decision within a period of two weeks from the date of receipt of such representation/appeal. In the meanwhile, the auction proceeding may continue. However, allotment of sand block at the village, shall not be made in favour of successful bidder.

3. If it is found that the petitioners themselves are involved in the activities of excavation or transportation of the sand or having any vested

interest, it would be open for the State Government to pass appropriate orders including imposition of costs on the petitioners.

4. In view of directions as above, the writ petition stands disposed of.

[SANGITRAO S. PATIL]
JUDGE

[R.M. BORDE]
JUDGE

npj/wp12667-2016