

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 41 OF 2015

(Khemchand s/o Nemichand Kosare vs. State of Maharashtra in the Ministry of Revenue & Forest thr. its Secretary & Ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's Orders.

Court's or Judge's orders.

**CORAM : B.P. DHARMADHIKARI &
KUM. I.K. JAIN, JJ.
JUNE 06, 2016.**

Heard Shri V.S. Kukday, learned counsel for the petitioner and Mrs. B.H. Dangre, learned GP for respondent Nos. 1 to 6, for some time.

It is not in dispute that the prayer (i) (first part) is already met with. Shri Kukday, learned counsel, however, invites orders in terms of later part. He contends that period of 365 days should be made available to successful bidder after Sand Ghat is handed over to him.

The learned Government Pleader has invited our attention to the orders passed on 19.03.2015. She submits that accordingly on 22.06.2015, a circular has been issued and time bound steps and stages are specified therein. She also makes a statement that time schedule contained in Annexure 'A' along with said circular shall be used even in subsequent years.

A copy of said circular is made available to Shri Kukday, learned counsel for the petitioner. Same is also taken on record as Exh. 'X'.

In view of this circular and statement made by

the learned Government Pleader, it is apparent that the State Government has taken necessary steps to see that full period or term for which Sand Ghat is allotted is made available to the successful bidder. If there are any lapses, in individual cases, that lapse can be looked into by the authorities.

Shri Kukday, learned counsel submitted that power to issue environmental clearance has now been delegated to the Collector of the district. According to him, this delegation may necessitate modification in time schedule, which this Court has taken on record.

The learned Government Pleader states that this development is not on record.

The time schedule prescribed by the State Government is already produced before us. If there are any modifications in the scheme, the State Government can always notify it by suitable Gazette notifications.

Hence, keeping objections of the petitioner, in relation to any such modifications open, we dispose of the present writ petition with no order as to costs in terms of Exh. 'X'.

JUDGE

JUDGE

*GS.