

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 398 OF 2016.

(Lucky Rajendrakumar Agrawal & others .vs. The State of Maharashtra & others)

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

Court's or Judge's orders

Mr. Sunil V. Manohar, Senior Counsel with Mr. V.B. Bhishe,
Advocate for petitioners,
Mr. M.K. Pathan, A.G.P. for respondent nos. 1 to 4.

CORAM : B.R. GAVAI & V.M. DESHPANDE, JJ.

DATED : SEPTEMBER 19, 2016.

The petitioners have approached this Court being aggrieved by the proclamation dated 27.5.2015 vide which they had banned excavation of minor minerals within the area of ten kilometers from the boundaries of Narnala wildlife sanctuary.

In the reply filed on behalf of the respondents, it is stated in paragraph nos. 5, 6 & 7 thus :-

“5. It is most respectfully submitted that, during the pendency of the challenges made by the petitioners, the answering respondent Sub Divisional Officer, Akot issued a Short Term Permit to the present petitioner no. 1 & 2. The copy of order issued to respondent no. 1 is annexed herewith as **Annexure R-1**. The perusal of the said communication would show that, the Short Term Permit is given for a period from 18.5.2016 to 30.5.2016. The answering respondent is also

annexing herewith a copy of Short Term Permit issued to the petitioner no. 2 from 30.4.2016 to 19.5.2016. The copy of said Short Term Permit is annexed herewith as **Annexure R-2.**

6. It is most respectfully submitted that the petitioner no. 3 has not applied for grant of Short Term Permit and hence was not issued any Short Term Permit by the answering respondent. The answering respondent would pass appropriate orders on the application if so made by the petitioner no. 3 in this regard.

7. In view of the submissions made hereinabove, the petition has become infructuous. The Short Term Permit are now being issued to the persons applying for such Short Term Permit even within 10 kms. area falling near the Narnala Sanctuary.”

In that view of the matter, we find that the grievance of the petitioners no more survives. The petition is disposed of having served its purpose.

J. **Judge**

Judge

CERTIFICATE

"I certify that this Order uploaded is a true and correct copy of original signed Order".

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