

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

PUBLIC INTEREST LITIGATION No.55 OF 2014

Sandeep Krishnarao Dhage & others.

-Vrs.-

State of Mah. And others.

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

Court's or Judge's orders.

Mr.T.D. Mandlekar, counsel for petitioners.
Mr. M.K. Pathan, AGP for respondent nos.1 to 3 & 5.
Mr. R. Kurekar, counsel for respondent no. 6.
Mr. Kunal Nalamwar, counsel for respondent nos. 11 & 12.

CORAM : B.R. GAVAI AND P.N. DESHMUKH, JJ.
DATED : 4th FEBRUARY, 2016

This petition has been filed for various reliefs including cancellation of mining leases granted in favour of respondent nos.12, 13 & 14, so also the stone crusher licence granted in favour of the respondent nos. 11 and 11-A.

It is the contention of the petitioners that the said mining leases and the permission to start stone crusher have been granted illegally.

In the reply filed on behalf of the District Mining Officer, dated 11.3.2015 it is submitted that the licence in favour of respondent nos. 11 and 11-A to start stone crusher was granted after no objection certificate was issued by the various authorities including Maharashtra Pollution Control Board. It is further stated in the reply that the Gram Panchayat had also granted no objection certificate vide resolution dated 15.08.2012.

The learned Additional Government Pleader states

that the petitioner no.1 was also present in the meeting in which it was resolved to grant no objection.

It is further submitted that the distance between the village Giroli (Dhage) and the Stone crusher is of 690 meters whereas as per the Pollution Control Norms it has to be 500 meters.

In the further affidavit filed by the District Mining Office dated 10.09.2015 it is further submitted that the mining leases granted in favour of respondent nos. 12, 13 and 14 have already lapsed. It is further submitted that the requirement to seek no objection of the Gram Panchayat is only in so far as the mining activities are concerned and there is no such requirement in so far as stone crusher is concerned.

In that view of the matter we find that the petition is without any merit and as such is dismissed.

JUDGE

JUDGE

Hirekhan