

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 238 OF 2017
(Deepak Subhashrao Dhanwate Vs. The State of Maharashtra
and others)

Mr. Kishorkumar B. Borde, Advocate for the Petitioner
Mr. S.B. Yawalkar, A.G.P. for the respondent/State

CORAM : V.M. KANADE AND
SANGITRAO S. PATIL, JJ.

DATE : 9th January, 2017

PER COURT :

Heard.

2. The grievance of the petitioner is that though the Gram Panchayat has objected to the excavation of sand, the Government has issued auction notice.

3. Under the policy framed by the State Government, if a Gram Panchayat raises an objection, the appeal can be preferred to the State. The petitioner has not exhausted the said remedy. We, therefore, direct the petitioner to file an appeal before the State within one week and the State shall decide the same within two weeks thereafter.

4. If it is found that the petitioner is interested in excavation of sand, the State may consider the said aspect and impose the cost, if necessary.

5. We are not inclined to stay the auction process. However, the final work order shall not be issued till the disposal of the appeal, as directed above.

6. The Writ Petition is disposed of in the above terms.

[SANGITRAO S. PATIL]
JUDGE

[V.M. KANADE]
JUDGE

npj/wp238-2017