

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3081 OF 2017

Balaji Sand Suppliers

through: Proprietor

Satish S/o Dhyandev Waghole

Petitioner

Versus

The State of Maharashtra and others

Respondents

Mr. M.A. Shaikh advocate for the petitioner

Mr. S.B. Joshi, AGP for Respondent No.1 to 4

CORAM : R.M. BORDE &

K.L. WADANE, JJ

(Date : 30th March, 2017.)

PER COURT :-

1 This Court, by order dated 22.3.2017 recorded the statement of the petitioner that, he would deposit remaining amount of auction within two days. It is also recorded that 1/4th amount has already been deposited by the petitioner. The petitioners has offered an amount of Rs.41,95,915/- in respect of sand block.

2 Since the petitioner has deposited entire amount under the directions issued by this Court, there shall be no impediment for the respondents to issue authorization in favour of the petitioner

to excavate the sand.

3 An application is presented by one K.K. Mobile, seeking intervention in the matter. It is the contention of the applicant that he participated in the tender process which was initiated after cancellation of the earlier process, where-under, the petitioner was found to be successful bidder. It is also contended that the applicant is successful bidder in the said auction process. In view of pendency of the petition, he has not been permitted to deposit any amount.

4 It does appear that the amount offered by the intervenor is about 50% of the amount offered by the petitioner. Even otherwise, the petitioner has deposited whole of the amount and if the contention of the intervenor is to be accepted, the State would be put to financial loss. In this view of the matter, the intervention application tendered by the intervenor need not be entertained and same stands ejected.

5 Since the grievance raised by the petitioner in the instant petition is redressed, the writ petition stands disposed of.

(K.L. WADANE, J)

(R.M. BORDE, J)