

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

11 WRIT PETITION NO. 9633 OF 2017

MANCHARLA SAYANNA SAYANNA THROUGH POWER OF ATTORNEY  
GANESH PAMU RAMESH PAMU  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...  
Advocate for Petitioner : Mr. S.P. Brahme h/f. Syed Azizoddin R.  
AGP for Respondents: Mrs. A.V. Gondhalekar  
...

**CORAM : S.C. DHARMADHIKARI &  
MANGESH S. PATIL, JJ.**  
**DATE : 31.07.2017**

**P.C. :-**

1. The petitioner is a private licence holder in the sense he has obtained the licence to excavate sand from a private property under the Maharashtra Minor Mineral Extraction (Development and Regulation) Rules, 2013.

2. The petitioner has been informed that his application for renewal of the permission cannot be granted. Hence this petition.

3. The petitioner claims that he has applied for a fresh permission and that application is pending. We do not express any opinion as to which policy would govern the disposal of the pending application, but surely within the scheme of the Act and the Rules as also

the Government Resolutions, the application would be considered on merits. Therefore, we direct that the petitioner's application seeking renewal of the permit for excavation of sand from his private property be considered on its own merits and in accordance with law as expeditiously as possible and within a period of four weeks from today. We clarify that we are not expressing any opinion on the rival contentions about adjustment of the royalty amount which is already lying with the authorities. Whether, that can be adjusted and in terms of the para III of Government Resolution dated 14.06.20017, is a claim which is kept open and for consideration at a later stage.

4. The writ petition is disposed of.

**[MANGESH S. PATIL, J.]**

**[S.C. DHARMADHIKARI, J.]**

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