

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.3691 OF 2018

Dagadu Duryodhan Kedari,
age: 39 years, Occ: Business,
R/o Vankute, Tal. Parner,
District Ahmednagar.

Petitioner

Versus

01 The State of Maharashtra,
through its Secretary,
Revenue & Forest Department,
Mantralaya, Mumbai-32.

02 The Collector,
Collector Office, Ahmednagar,
District Ahmednagar.

03 The Additional Collector,
Collector Office, Ahmednagar,
District Ahmednagar.

04 Tahsildar,
Rahuri, District Ahmednagar.

Respondents

Mr.P.P.Chavan, advocate with Mr.D.R.Shelke, advocate for the petitioner.
Mr.S.B.Pulkundwar, A.G.P. for respondents.

**CORAM : R.M.BORDE &
K.K. SONAWANE, JJ.
DATE : 11th APRIL, 2018**

ORAL JUDGMENT (Per R.M.Borde, J.):

1 Heard. Rule. Rule made returnable forthwith and heard finally by consent of learned Counsel for respective parties.

2 The petitioner was found successful during bidding process for permitting the petitioner to excavate sand out of the block at village Jatap, Tq.Rahuri. Under the terms of authorization, petitioner was

required to deposit 1/4th amount within 24 hours from 31.03.2018. It is informed that on 1st and 2nd April, 2018, the bank transactions were closed and as such, the petitioner could not deposit the amount as stipulated in the letter of authorization. It is his contention that on 03.04.2018, he approached the Tahsildar and requested to issue challan to facilitate him to deposit the amount in the bank. However, the Tahsildar refused to issue challan. The petitioner, as such, approached this Court seeking directions to the Tahsildar to issue challan and to permit him to deposit 1/4th amount, as stipulated in the letter of authorization.

3 The reasonable request made by the petitioner deserves to be accepted. Admittedly, the petitioner could not comply with the directions contained in the letter of authorization for the reason that there were bank holidays on 1st and 2nd April, 2018. The reason put forth by the petitioner in the petition deserves to be accepted.

4 Writ Petition is, thus, allowed. Respondents are directed to issue challan to the petitioner to facilitate him to deposit 1/4th amount in the bank and further issue necessary orders permitting him to facilitate excavation of sand.

5 Rule is accordingly made absolute. There shall be no order as to costs.

K. K. SONAWANE
JUDGE

R.M.BORDE
JUDGE

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