

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10755 OF 2012

Mukesh Subhash Khule ...Petitioner

versus

The State of Maharashtra and another ...Respondent

Mr. B. S. Deshmukh, Advocate for petitioner

Ms S. S. Raut, Asstt. Government Pleader for respondents

CORAM : SUNIL P. DESHMUKH
AND P. R. BORA, JJ.

DATE : 29th January, 2018

ORDER:

1. By this petition invoking article 226 of the Constitution of India, petitioner seeks mandamus to respondent no. 2 - Commissioner, Nasik, to consider and decide proceedings / application dated 11-04-2011.
2. Dispute relates to transport of sand of about 1540 brass outside the district limits. The request of the petitioner for such transport of sand had been negatived by Collector, District, Dhule under communication dated 06-12-2010.
3. Thereafter, aforesaid application dated 11-04-2011 appears to have been moved by petitioner to respondent no. 2.

4. Learned Assistant Government Pleader Miss. Raut submits that aforesaid application dated 11-04-2011 had been forwarded to Collector, Dhule for a detailed enquiry and report. The Deputy Collector, Dhule had expressed a negative opinion and had recommended a decision accordingly under his report dated 22-02-2013 to respondent no. 2. Respondent no. 2, accordingly, had declined to accede to the request made under application dated 11-04-2011 by addressing a communication to the petitioner.

5. She refers to affidavit in reply and particularly annexures R-1 and R-2 thereof.

6. In view of aforesaid and also with the passage of time, in the absence of challenge to communication by respondent no. 2 referred to above, it appears that the purpose underlying the petition stands worked out without leaving any efficacy in the petition.

7. Writ petition, is accordingly, disposed of.

P. R. BORA,
JUDGE

SUNIL P. DESHMUKH
JUDGE