

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

PUBLIC INTEREST LITIGATION NO.151 OF 2018

Suresh Vitthal Bakale

... **Versus** ...

The State of Maharashtra & ors.

...

Mr. R.V. Gore, Advocate for the petitioner

Mrs. G.L. Deshpande, AGP for the respondents/State

Mr. N.R. Bhanvar, Advocate for the respondent No.4

...

**CORAM : P.B. VARALE &
SMT. VIBHA KANKANWADI, JJ.**

DATE : 21st DECEMBER, 2018

PER COURT :

1 Heard the learned counsel for the petitioner. The petitioner in the petition before this Court is an agriculturist and raising a cause of public in a nature that an illegal excavation of the sand and minerals is being extracted from Harsul lake and thereby causing damage. The submission is, the petitioner had approached the competent authorities such as The Collector, Aurangabad, The Commissioner of Municipal Corporation, Aurangabad and the authorities of the Energy Supply Department.

2 The learned counsel by inviting our attention to the documents placed on record, submitted that the petitioner is approaching these authorities since May, 2018 and one of the all such representations submitted to the authorities recently is on 24.09.2018. The learned counsel also invited our attention to certain attempts published in local newspapers. It is not in dispute that the representations are submitted to the authorities and last representation is of 24.09.2018. Perusal of representations further show that the petitioner is making a consistence grievance about the illegal excavation of the sand and minerals from Harsul lake as the preliminary grievance of the petitioner is the authorities are not paying any heed to the representations.

3 In our opinion, the petition itself can be disposed of by issuing directions to the authorities to decide the representation expeditiously and within a time frame such a direction would not cause any prejudice to the respondents. Therefore, the petition is disposed of at the admission stage itself by issuing directions to the respondent No.3 Collector, Aurangabad to decide the representation which is submitted by the petitioner in recent past i.e. on 24.09.2018 on its own merits as expeditiously as possible and not later than six weeks from the date of

order of this Court.

4 The Collector if is of the opinion of calling record from his subordinate authorities and also giving an opportunity of hearing to the necessary parties, the Collector is at liberty to undertake such an exercise for arriving at a conclusion in the process of decision of the representation. With these directions the petition is disposed of.

(Smt. Vibha Kankanwadi)
JUDGE

(PB. Varale)
JUDGE

agd