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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
PUBLIC INTEREST LITIGATION NO.245 OF 2009**

Shri. Dnyaneshwar Shankar Kale	... Petitioner
Vs.	
Shri. Rajaram Parasram Godse and Ors.	... Respondents

Ms. Avanti Inamdar i/by Mr. R.N. Gite for the Petitioner.
Mr. V.P. Malvankar, AGP 'A' Panel for the Respondent Nos.2 to 4.

**CORAM : A.S. OKA &
P.N. DESHMUKH, JJ.**

DATE : 18th JANUARY, 2018

PC.

1 The only grievance is about the action of the State Government of permitting excavation of sand from a particular spot. Today, the learned AGP has placed on record a copy of the letter dated 16th January, 2018 addressed to him by Shri P.T. Kore, District Mining Officer, District Nashik which is taken on record and marked “X-1” for identification. The grievance in the petition is based on an order dated 4th June, 2009 (Exhibit -A to the Petition) permitting excavation of the sand from the said spot. In the letter dated 16th January, 2018 the District Mining Officer has stated that the auction of sand at Ghat Nanegaon was not conducted for the year 2017-2018. We accept the statement made in paragraph 5 of the said letter.

2 In the event, the State Government permits auction of sand at the said spot, the Collector/ State Government will have to publish a notice in advance. At that stage, the petitioner can always raise an objection and file necessary proceedings, if required.

3 Therefore, subject to what is observed above, by accepting the statements made in the letter dated 16th January, 2018 (marked as “X-1” for identification), the PIL is disposed of. Rule is also disposed of accordingly.

(PN. DESHMUKH, J)

(A.S. OKA, J)