

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

136 WRIT PETITION NO.2989 OF 2019
SRINIVAS GOUD SHANKAR GOUD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
WITH
WRIT PETITION NO. 3016 OF 2019
ANAND PANDURANG PADIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr Syed Azizoddin R.
AGP for Respondents State: Mr S P Tiwari

**CORAM : S. V. GANGAPURWALA &
ANIL S. KILOR, JJ.**

DATE : 24th September, 2019

ORDER:

1. It is submitted that the petitioners filed applications for excavation of sand from their own land as sand is accumulated in the land of the petitioners. Respondents have not considered the applications of the petitioners.

2. The proviso has been inserted to Rule 9 of the Maharashtra Minor Mineral Extraction (Development and Regulation) (Amendment) Rules, 2017. The petitioners may file application. The respondents shall consider Rule 9 and its proviso of the Amendment Act, 2017. The respondents, may also call report from the Geographical department, if any, and decide the application filed by

the petitioners with regard to the excavation of sand on its own merits, preferably within three months.

3. The petitioners may represent themselves before the authorities.

4. Writ petitions disposed of. No costs.

(ANIL S. KILOR, J.)

(S.V.GANGAPURWALA, J.)

JPC