

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION (STAMP) NO.21164 OF 2019

SANDIP PRATAP NAIK)...PETITIONER

V/s.

THE STATE OF MAHARASHTRA & ORS.)...RESPONDENTS

Mr.Ajit Savagave, Advocate for the Petitioner.

Mr.S.B.Kalel, AGP for the Respondent - State.

**CORAM : INDRAJIT MAHANTY &
A. M. BADAR, JJ.**

DATE : 14th AUGUST 2019

P.C. :

1 By this petition, the petitioner, who is successful bidder of sand excavation is seeking direction to return the auction amount along with interest thereon. According to the petitioner, his highest bid for excavation of the sand was accepted by the State and the petitioner was allowed to excavate the sand up to September 2017. According to the petitioner, he received a notice from the Additional Collector, Kolhapur, directing him to

stop the excavation process as per the order of the National Green Tribunal, Delhi, and that is how he was unable to excavate the sand. He was allowed to excavate the sand ghat from 4th March 2017. The petitioner had excavated the sand ghat for a limited period and he was not allowed to excavate the sand ghat for the full contract period. It is reported that the representation of the petitioner for return of the earnest money and auction amount is pending with the respondent no.1 State. Our attention is drawn to the order dated 18th June 2019 passed in Writ Petition (Stamp) No.26823 of 2012 along with other petitions where this court has directed to decide the representation of those petitioners within a period of six weeks from the date of submission of the representation by them.

2 Without going into the controversy involved in the instant petition and by keeping all points open, we direct the respondent no.1 to decide the pending representation of the petitioner within a period of six weeks from the date of communication of this order.

3 With this direction, the writ petitions stands disposed
off.

(A. M. BADAR, J.)

(INDRAJIT MAHANTY, J.)