

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

WRIT PETITION NO. 4920 OF 2020

M. Kirankumar Reddy .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Shailesh P. Brahme, Advocate for the Petitioner.
Shri S. G. Karlekar, A.G.P. for Respondent Nos. 1 to 4.

**CORAM : S. V. GANGAPURWALA AND
R. G. AVACHAT, JJ.**

DATE : 20TH JULY, 2020.

FINAL ORDER :

. At the request of the petitioner leave to correct the prayer clause 'C'.

2. It appears that, the petitioner is permitted to excavate the sand by the order of the State Minister for Revenue. The affidavit is filed by the respondent authority putting forth certain compliances to be made and impediment for granting permission. In fact, said authority had filed a petition for review before the Hon'ble State Minister, which is rejected. Subsequently, the petitioner had filed Writ Petition No. 3839 of 2019. On 05th September, 2019 same was disposed of directing the respondent No. 2 to implement the order passed by the Hon'ble State Minister for Revenue.

3. The respondent authorities were directed to implement the order passed by the Hon'ble State Minister, but the respondent authorities had not implemented the order of the Hon'ble State Minister. The respondents cannot sit over the orders of the Hon'ble State Minister. The difficulties which are expressed by the authorities were also considered by the Hon'ble State Minister while dismissing the review petition.

4. In the light of the above, the respondent No. 2 shall take appropriate steps to issue permission and way bills in favour of the petitioner for excavation of sand from his land gut No. 434 situated at village Hungunda Tq. Biloli, Dist. Nanded. The petitioner has also deposited the royalty amount as demanded by the respondents.

5. In view of the above, the writ petition is disposed of. No costs.

[R. G. AVACHAT, J.]

[S. V. GANGAPURWALA, J.]

bsb/July 20