

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 5103 OF 2018

Udaykumar S/o Navendrasingh Prammar & Ors.

Vs.

The State of Maharashtra & Anr.

WITH

WRIT PETITION NO. 3834 OF 2018

Ashok S/o Rajaram Itankar

Vs.

The Collector, Collectorate Administrative Building, Fulchur, Gondia.

Office Notes, Office Memoranda of Coram,
Appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Shri S.P. Bhandarkar, Advocate for the petitioner(s) in both the petitions.
Shri A.M.Deshpande, Addl.G.P. for the respondent(s) in both the petitions.

CORAM: **R.K. DESHPANDE &**
 PUSHPA V. GANEDIWALA, JJ.

DATED : **28th OCTOBER, 2020.**

Hearing was conducted through Video Conferencing and the learned counsel agreed that the audio and visual quality was proper.

2. Shri Bhandarkar, the learned counsel appears for the petitioners in both these matters. Shri A.M. Deshpande, the learned Addl. G.P. appears for the respondents in both these matters.

3. On 24.10.2018, we passed an order observing that the anxiety of this Court seems to be that

there shall be no arbitrary permission without any guidelines or policy of the State Government for the mining purpose.

4. We are informed by all the parties to the petition that the Government has now framed the policy for mining purpose and, accordingly, the same is being acted upon.

5. Civil Application No. 1078/2020 in Writ Petition No. 5103/2018, has been filed by the District Collector, Nagpur for permission to grant quarry lease for excavation of minor minerals from the Government land bearing Survey No. 67, admeasuring 52.60 HR, owned and possessed by the State Government, situated at Mouza Savangi Asola, Taluqa Hingna, District Nagpur, in favour of the Maharashtra State Road Development Corporation for the purpose of the Nagpur Mumbai Super Communication Express Way (Samruddhi MahaMarg).

6. Our attention is invited to Rule-9 of the Maharashtra Minor Mineral Extraction (Development and Regulation) Rules, 2013.

7. In view of the fact that the mining policy has already been framed by the State Government and Rule-9 has been introduced under the aforesaid Rules, we dispose of these matters as the public interests involved in these matters have been served. The respondents shall be at liberty to act in accordance with

such Policy, Rules and Regulations.

8. The writ petitions stand disposed of.

9. This order be communicated to the counsel appearing for the parties, either on the email address or on WhatsApp or by such other mode, as is permissible in law.

JUDGE

JUDGE

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