

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

WRIT PETITION NO.3255 OF 2022

**PRATHMESH KRUSHI SEVA KENDRA AND MACHINERY THR ITS
PROPRIETOR MAHADEO SOMNATH TARATE ..PETITIONER**

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER ..RESPONDENTS

...
Ms. Nisheegandha Deokar h/f Mr. L. R. Tade,
Advocate for the Petitioner.
Mr. S. B. Yawalkar, AGP for Respondents-State.
...

**CORAM : S. V. GANGAPURWALA &
S. G. DIGE, JJ.**

DATED : 07th MARCH, 2022.

PER COURT:-

1. The learned counsel for the petitioner submits that, e-auction of sand spot was canceled. The petitioner had deposited EMD. As the e-auction was canceled, the petitioner filed an application for refund of the amount deposited by the petitioner. The same is pending since January 2018 before respondent no.2.

2. We have heard the learned A.G.P.

3. It appears that, thereafter, the Collector under communication dated 09.02.2018 sought sanction from respondent no.1 regarding refund of the amount. It appears that, further decision has not been taken upon it as yet.

4. In case, application filed by the petitioner (page no.62) for refund of the amount due to cancellation of the e-auction of the sand spot is pending with respondent no.2, then respondent no.2 shall take decision upon it on its own merits, in accordance with law and policy, expeditiously and preferably within a period of six (06) months.

5. Writ Petition is disposed of. No costs.

(S. G. DIGE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE