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

21 WRIT PETITION NO.6021 OF 2022

CHINTAMANI BHAGWANTRAO YEVANDGE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

....

Mr A. H. Kasliwal, Advocate for petitioner;
Mr S. K. Tambe, A.G.P. for respondents/State

**CORAM : RAVINDRA V. GHUGE
AND
ANIL L. PANSARE, JJ.**

DATE : 20th June, 2022

PER COURT:

1. Prayer Clauses (B) and (C) have been put forth by the petitioner as under :-

B) By writ of mandamus or any other appropriate writ, the 2nd to 5th respondents may kindly be directed to remove the encroachment from the road and further to stop the pollution.

C) Pending hearing and final disposal of the petition, the 5th respondent may kindly be restrained from using the stone crusher for crushing the stone and further from blasting for excavating the big stones.”

2. We have considered the submissions of the learned Advocate for the petitioner and the learned A.G.P. We have considered the photographs placed on record from page Nos.26 to 29 of the petition paper book and the representations made by the petitioner to respondent Nos.2 to 5.

(2)

3. It appears that the petitioner has formed a view that illegal stone crushing activities are going on and the stone crushing machines are installed unauthorizedly at a particular place. He is also worried about the blasting activities that are resorted to by the contractor, for the purpose of breaking the stone to be utilized for a public project.

4. Since the petitioner has raised all these grounds, including the ground of air pollution, in the representation dated 18/06/2021, filed before the District Collector, Latur, which is pending, this petition is disposed off.

5. We direct respondent No.2, to consider the said representation in the light of the contents set out therein. If required, the District Collector would cause a hearing in the matter, by permitting the petitioner as well as respondent Nos.3 to 5, to participate in the same. He shall pass a reasoned order on the said representation, as expeditiously as possible and preferably, on or before 15/09/2022.

(ANIL L. PANSARE, J.)

(RAVINDRA V. GHUGE, J.)

sjk