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

34 WRIT PETITION NO.10927 OF 2022

**SANDHYA SOMESHAPPA LIMBHARE
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE
SECRETARY AND OTHERS**

....

Mr A. R. Tapse, Advocate for petitioner;
Mr P. S. Patil, A.G.P. for respondents/State

**CORAM : RAVINDRA V. GHUGE
AND
SANJAY A. DESHMUKH, JJ.**

DATE : 9th November, 2022

PER COURT:

1. The petitioner is aggrieved with regard to the alleged illegal excavation of soil and stones from the land admeasuring 2 Hectors, situated in Gut No.31, village Jogwada, Tq. And Dist. Aurangabad, which is owned and possessed by the petitioner. The representations dated 22/11/2021 and 23/07/2022, praying to the authorities to take action against such alleged theft, are pending. It is prayed that, respondent No.3 should decide the said pending representations.

2. The learned A.G.P. submits that, the petitioner could have as well lodged a complaint with regard to the alleged theft of soil

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and stones. Nevertheless, the representations would be considered on their own merits.

3. In view of the above, this petition is disposed off.

4. If respondent No.3 is duly vested with the jurisdiction by law, he would deal with the representations of the petitioner on their own merits and by following the settled position laid down in law. If he finds that the representations are beyond his jurisdiction, he would assist the petitioner in approaching an appropriate authority for seeking redressal of his grievance.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)

sjk