

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.9917 OF 2022

SHANKAR RAMA MANE AND OTHERS
VERSUS
STATE OF MAHARASHTRA THROUGH REVENUE AND FOREST
DEPARTMENT AND OTHERS

Mr.N.S.Tekale h/f Mr.D.PPalodkar, Advocate for the petitioners.
Mr.S.G.Karlekar, AGP for the respondent/State.

(CORAM : RAVINDRA V. GHUGE AND
ARUN R. PEDNEKER, JJ.)

DATE : SEPTEMBER 28, 2022

PER COURT :

1. The petitioners have put forth prayer clause B, C and D as under :-

“B. The Hon’ble High Court may be pleased to issue writ of mandamus or appropriate writ, order or direction in the nature of writ and thereby direct the respondents to forthwith initiate action as per the Government Resolution dated 28.01.2022 bearing No.GauKhani-10/1021/Pra.Kra.82/Kha-1 and as per representations dated 25.07.2022, 03.08.2022 and 02.09.2022 to curb the illegal mining, excavation, storage and transportation of sand in village Kerhala, Taluka Sillod, District Aurangabad.

C. This Hon’ble High Court may be pleased to direct the respondent

No.4 to forthwith confiscate the sand illegally mined and stored as per panchnama dated 25.07.2022 and the vehicles which are involved in the transport of the said sand.

D. Pending hearing and till final disposal of the present writ petition, the Hon'ble High Court may be pleased to direct the respondent No.4 to forthwith confiscate the sand illegally mined and stored as per Panchnama dated 25.07.2022 and the vehicles which are involved in the transport of the said sand."

2. The learned Advocate for the petitioners submits that the representations dated 25.07.2022, 03.08.2022 and 2.09.2022 are addressed to the Divisional Commissioner/respondent No.3 and the District Collector, Aurangabad/Respondent No.4. Such complaints will have to be looked into by the District Collector, Aurangabad in view of the Mines and Mineral (Development and Regulation) Act, 1957.

3. In view of the above, this petition is disposed off with a direction to respondent No.4 to look into the representations referred to above and to deal with the same with promptitude considering the seriousness of the complaint put forth and arrive at a decision as expeditiously as possible and in any case on or before 21.10.2022.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)