

3] The learned AGP for the State submits that in view of the order of the National Green Tribunal dated 17.02.2022. Now it is necessary to obtain environmental clearance before proceeding with excavating activity of the minor mineral.

4] The learned AGP further submits that on 24.03.2022 the Revenue and Forest Department has also issued a circular not to grant permissions/ permit for excavation without permission of environmental clearance.

5] In the light of orders of the National Green Tribunal and circular issued by the Revenue & Forest Department the grievance of the Petitioner cannot be entertained. The same would be against the dictum of the National Green Tribunal and circular in force.

6] If the Petitioner can not get environmental clearance, then he may take further steps with the Authorities and /or of the Petitioner is not allowed to excavate the land under temporary permit, then the Petitioner may approach the Authority for appropriate relief.

7] The application filed by the Petitioner, in that event, be considered by the Authority on its own merits.

8] Writ Petition is disposed of. No costs.

[M.G.SEWLIKAR, J]

[S.V.GANGAPURWALA,J]