

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.53 OF 2022

Amit Bhagwan Gedam,
Aged 34 Yrs., Occu.: Business,
R/o. Beena, Tehsil Kamptee,
District Nagpur

.... **PETITIONER**

// VERSUS //

1. State of Maharashtra,
In the Ministry of Revenue & Forest,
Mantralaya, Mumbai -32
Through its Secretary

2. The Divisional Commissioner,
Nagpur Division, Nagpur

3. The Additional District Collector,
Bhandara.

.... **RESPONDENTS**

WITH
WRIT PETITION NO.59 OF 2022

Vijeshkumar S/o. Janba Chopkar,
Aged 39 Yrs., Occu.: Business,
R/o. Kothurna, Tehsil & District
Bhandara

.... **PETITIONER**

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In the Ministry of Revenue & Forest,
Mantralaya, Mumbai -32
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Nagpur Division, Nagpur

3. The Additional District Collector,
Bhandara.

.... **RESPONDENTS**

WITH
WRIT PETITION NO.56 OF 2022

Sanjay S/o. Raghunath Mungle,
Aged 35 Yrs., Occu.: Business,
R/o. Bisi, Tehsil Chimur,
District Chandrapur

.... **PETITIONER**

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Bhandara.

.... **RESPONDENTS**

WITH
WRIT PETITION NO.61 OF 2022

M/s. New Mansi Gift &
Greeting Gallery,
Through its Proprietor,
Shri Deepak Hariram Gangwani,
Aged 54 Yrs., Occu.: Business,
R/o. Khamtalao, Mukherjee Ward,
Bhandara

.... **PETITIONER**

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Nagpur Division, Nagpur

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Bhandara.

.... **RESPONDENTS**

WITH
WRIT PETITION NO.60 OF 2022

Satish S/o. Govinda Gotephode,
Aged 37 Yrs., Occu.: Business,
R/o. Kothurna, Tehsil & District
Bhandara

.... **PETITIONER**

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1. State of Maharashtra,
In the Ministry of Revenue & Forest,
Mantralaya, Mumbai -32
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Nagpur Division, Nagpur

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Bhandara.

.... **RESPONDENTS**

WITH
WRIT PETITION NO.58 OF 2022

M/s. Nashik Transport,
Through its Proprietor,
Shri Ashok Lakshman Sahare,
Aged 36 Yrs., Occu.: Business,
R/o. Plot No. 273, Sant Jagnade
Housing Society, Nagpur

.... **PETITIONER**

// VERSUS //

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Nagpur Division, Nagpur

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Bhandara.

.... **RESPONDENTS**

WITH
WRIT PETITION NO.55 OF 2022

Sevak S/o. Bhimrao Ramteke,
Aged 42 Yrs., Occu.: Business,
R/o. Bisi, Tehsil Chimur,
District Chandrapur

.... **PETITIONER**

// VERSUS //

1. State of Maharashtra,
In the Ministry of Revenue & Forest,
Mantralaya, Mumbai -32
Through its Secretary

2. The Divisional Commissioner,
Nagpur Division, Nagpur

3. The Additional District Collector,
Bhandara.

.... **RESPONDENTS**

WITH
WRIT PETITION NO.57 OF 2022

Lokram S/o. Mitaram Thakre,
Aged 40 Yrs., Occu.: Business,
R/o. Kumbhli, Tehsil Sakoli,
District Bhandara

.... **PETITIONER**

// VERSUS //

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Bhandara.

.... **RESPONDENTS**

WITH
WRIT PETITION NO.54 OF 2022

Jitendra Ganesh Mhaske,
Aged 40 Yrs., Occu.: Business,
R/o. Ward No. 5, Santaji Nagar,
Kandri, Tehsil Parseoni, Dist. Nagpur

.... **PETITIONER**

// **VERSUS** //

1. State of Maharashtra,
In the Ministry of Revenue & Forest,
Mantralaya, Mumbai -32
Through its Secretary

2. The Divisional Commissioner,
Nagpur Division, Nagpur

3. The Additional District Collector,
Bhandara.

.... **RESPONDENTS**

Mr V. S. Kukday, Advocate for the petitioners in all petitions
Mr N. P. Mehta, AGP for respondent Nos.1 to 3 in all petitions

CORAM : SUNIL B. SHUKRE AND
G. A. SANAP, JJ.
DATED : 23.09.2022

ORAL JUDGMENT : (PER : SUNIL B. SHUKRE, J.)

1] Heard. **RULE.** Rule made returnable forthwith. Heard finally by consent.

2] In each of these petitions issue involved is same and common and therefore, these petitions are being disposed by this common judgment. The issues involved primarily relate to the right of

the petitioners to seek extension of period of lease during which different sand ghats were allotted to each of these petitioners for their excavation and if the extension of the lease period could not be granted, whether the petitioners would be entitled to be refunded their security deposits or not.

3] We find that now new sand ghat allotment policy has come into force with effect from 28.01.2022 and therefore, whatever has to be done now would have to be in accordance with the new sand ghat allotment policy. The lease agreements of the petitioners were executed prior to coming into force of a new sand ghat allotment policy and now obviously they are no longer workable. Considering these facts, the State Government in its reply filed in each of the petitions has conceded that it is willing to refund the security deposits of each of the petitioners. If that is so, we are of the view that these petitions can be disposed by issuing appropriate directions.

4] We direct the State Government to refund the security deposits of each of the petitioners within a period of eight weeks from the date of the order. We further direct that the lease agreements executed by each of the petitioners shall be treated as cancelled with

effect from 28.01.2022. All these writ petitions stand disposed of, accordingly.

5] Rule is made absolute in the above terms. No costs.

(G. A. SANAP, J.)

(SUNIL B. SHUKRE, J.)

Namrata