

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

35 WRIT PETITION NO.6487 OF 2023

YAKUB AYYUB SHAIKH
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND
OTHERS

Mr.Kishor D.Khade, Advocate for the Petitioner.
Mr.S.W.Munde, AGP for the Respondent/State.

(CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.)

DATE : JUNE 19, 2023

PER COURT :

1. The Petitioner has put forth prayer clauses B and C as under :-

"B. The writ of mandamus or writ of like nature may be issued to respondent Nos. 3 and 4 to take appropriate action under Rule 79 of the Maharashtra Minor Mineral Extraction (Development and Regulation) Rules, 2013 and resolution dated 12.01.2018 against the responsible person mention the complaint and found guilty according to report forwarded by circle inspector dated 25.01.2021 and communication dated 10.02.2021.

C. The writ of mandamus or writ of like nature may be issued to respondent Nos. 3 and 6 to decide the representation 15.12.2020."

2. Having considered the submissions of the learned Advocate for the Petitioner and the learned AGP, we find that the Petitioner's request for deciding his representation dated 15.12.2020, could be entertained.

3. In view of the above, **this petition is disposed off.** We direct Respondent No.5 or any other Revenue Authority, arrayed as respondents in this petition, as the case may be, to deal with the petitioner's representation dated 15.12.2020 and take the same to a logical end. Appropriate procedure as laid down in Law shall be followed and if there are any stake holders, they be given an opportunity of hearing.

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)