

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

20 WRIT PETITION NO.6941 OF 2023

NANDKUMAR KACHARU GAGARE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS
WITH
25 WRIT PETITION NO.6947 OF 2023

NANDKUMAR KACHARU GAGARE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS

Mr.S.S.Thombre, Advocate for the Petitioner.
Mr.D.R.Kale, Govt.Pleader for the Respondent/State.

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

DATE : JULY 3, 2023

PER COURT :

1. The issue is of the *sand ghat* having been handed over to the successful highest bidder, the Petitioner herein, after a passage of time and as a result of which, the petitioner was unable to excavate the entire quantity allocated to them as per the highest tender bidding.

2. In both these cases, the Tahsildar, Rahuri has sent his

reports dated 02.10.2020 and 05.01.2021 addressed to the District Collector, Ahmednagar (Mines and Minerals Branch), clearly indicating the quantity of sand, which the Petitioner could not excavate. In these circumstances, normally this Court either permits the Government to extend the period upto those number of days for which there was a delay in handing over the *sand ghat* to the successful bidder or refund the pro-rata royalty amount with admissible interest, which has been already paid to the Government .

3. In view of the above, **both these petitions are disposed off** with a direction to Respondent Nos. 1 and 2 to initiate appropriate steps in the light of the report of the Tahsildar and arrive at a decision on or before 31.07.2023. Let such decision be conveyed to the Petitioner within 7 days. Thereafter, if the grievance of the Petitioner is not redressed, he would be at liberty to avail of a remedy, as is permissible in Law.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)