

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.10762 OF 2023

**DEVARAM BHAU BHOR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS**

...

Advocate for the Petitioners : Shri Wagh Umakant U.
AGP for Respondents 1 to 4/State : Shri A.V. Deshmukh

...

**CORAM : RAVINDRA V. GHUGE
&
Y. G. KHOBRAGADE, JJ.**

DATE :- 01st September, 2023

Per Court :-

1. The Petitioners claim to be agriculturists residing in village Bhorwadi, Taluka Nagar, District Ahmednagar. The Bhorwadi Village Panchayat passed the resolution on 25.06.2021 for granting an NOC for setting up the stone crusher near the village. As the villagers complained, the NOC was retracted by passing another resolution on 23.08.2021. The Government granted permission for the stone crusher on 16.05.2023. The representation (undated) is served on the District Collector's office on 19.07.2023 purportedly signed by around 75 persons.

The panchanama is drawn on 01.08.2023 by the Sub Divisional Officer, Nagar. The newspaper cuttings are placed on record as regards the objections raised by the villagers for grant of the stone crusher permission.

2. In view of the above, **this Writ Petition is disposed off** with a direction to the District Collector, Ahmednagar that he would initiate hearing proceedings within five days from today and by publishing a public notice or pasting a public notice at conspicuous places in Bhorwadi and on the notice board of the Village Panchayat, Bhorwadi, to enable the villagers, who desire to register their objections to the stone crushers. Even the stone crusher owner shall be heard. The report from the appropriate revenue authorities to verify as to whether, the stone crusher was legally granted permission, shall be called. After considering the say of all the stakeholders, the District Collector would pass an appropriate order with reasons, on or before 30.09.2023.

3. We make it clear that we have not dealt with the merits of the grievance of the Petitioners.

kps

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)