

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

909 WRIT PETITION NO.13834 OF 2023

- . Kiran S/o Madhukar Aher,
Age: 35 years, Occu.: Business,
R/o.: Tanpure Mala, AT Rayatewadi,
Post Waghapur, Taluka and
District Ahmednagar **.. Petitioner**

Versus

1. The State of Maharashtra,
Through it's Secretary,
Revenue and Forest Department,
Mantralaya, Mumbai 400 032
 2. The Collector,
Collector Officer, Ahmednagar
 3. The Sub Divisional Officer,
Sangamner, Taluka Sangamner,
District Ahmednagar
 4. The Tahsildar,
Tahsil Office, Sangamner,
Taluka Sangamner, District Ahmednagar
- .. Respondents**

...

Advocate for Petitioner: Mr. A. B. Kharosekar
AGP for Respondent/State: Mr. S. B. Pulkundwar

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 04th NOVEMBER, 2023

ORAL JUDGMENT:

1. **Rule.** Rule returnable forthwith. With consent of parties, the petition is heard finally.

2. Mr. A. B. Kharosekar, learned counsel for the petitioner has placed on record show cause notice dated 20.10.2023 issued by the Tahsildar, Sangamner to the petitioner for payment of royalty on a minor mineral. He further submits that the show cause notice indicates that the minor mineral is khadi and this court has passed various orders that khadi is not a minor mineral and that the State is not empowered to claim royalty on khadi, relying upon the order of this court dated 01.11.2023, passed in Writ Petition No.13835 of 2023.

3. In view of the same, the show cause notice dated 20.10.2023 is quashed and set aside. The vehicle of the petitioner, which is detained, bearing no. MH-08-W-8056, shall be released forthwith.

4. Rule is made absolute in above terms.

5. The writ petition stands disposed of.

[ARUN R. PEDNEKER, J.]

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