

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 7615 OF 2023

Chandrakant Ramlal Choudhari And Ors.

...Petitioners

Versus

Government Of Maharashtra And Ors.

...Respondents

Mr. Anil Anturkar, Senior Advocate a/w Mr. R.P. Joshi for the Petitioners.

Mr. Mayur Khandeparkar a/w Mr. Rajendra A. Shah a/w Mr. Mohammed Lokhandwala and Ms. Veena Hari i/b Mansukhlal Hiralal and Co. for Respondent Nos. 5 to 8.

Mr. Ram S. Apte, Sr. Advocate i/b Mr. S.S. Ambedkar for Respondent No.4.

CORAM: N. R. BORKAR, J

DATED: 25 JULY, 2023

PC:-

1. I have heard the learned senior counsel for the petitioners, the learned counsel for the contesting respondent Nos. 5 to 8 and the learned AGP for the respondent/ State.

2. By the order impugned, the respondent No.2- District Collector directed that the orders granting quarry lease/permit to the petitioners to extract minor minerals shall remain in suspension until further orders.

3. Considering the nature of dispute between the parties, the respondent No.2 before passing the impugned order ought to have

heard the petitioners. As the same was not done, the impugned order is set side.

4. The respondent No.2 after hearing the parties shall pass fresh orders, within three weeks from the date of receipt of copy of this order. The learned senior counsel for the petitioners, on instructions, states that no mining activity will be undertaken till passing of fresh order by the respondent No.2. The statement is accepted.

5. The respondent No.2 shall permit the parties to file documents/reply, if any.

6. Parties shall appear before the respondent No.2 on 31 July 2023 at 11.00 A.M.

7. The Writ Petition is disposed of, in the above terms.

[N. R. BORKAR, J.]