

Pdp

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

PUBLIC INTEREST LITIGATION NO. 81 OF 2024

Vijay Rajaram Vadane

.. Petitioner

Versus

GR Infra Project Ltd. & Ors.

.. Respondents

Mr. Ashok Tajane for petitioner.

Mr. P. P. Kakade, Government Pleader with Mr. O. A. Chandurkar, Addl. Govt. Pleader, Mrs. G. R. Raghuwanshi, AGP for respondent nos.3 to 9, 11, 13 (State).

Mr. Akshay S. Pansare i/by Mr. Sachindra B. Shetye for respondent no.10 (MPCB).

**CORAM: DEVENDRA KUMAR UPADHYAYA, CJ. &
AMIT BORKAR, J.**

DATE: 5th JULY, 2024

P.C.:

- 1.** Heard the learned counsel for the petitioner and the learned Government Pleader representing the State-respondents.
- 2.** In view of the proposed order, requirement of issuance of notice to respondent nos.1 and 2 is hereby dispensed with.
- 3.** The grievance raised in this PIL petition is that the respondent nos.1 and 2, who are the permit holders for carrying out certain mining activities at certain pieces of land, have indulged in excavating more minerals than permitted.

4. Our attention has been drawn to certain orders passed by the authorities imposing penalty. It has also been brought to our notice that the said orders of penalty have been challenged in appeals. Learned counsel for the petitioner, however, states that in respect of certain other mining areas, no such order has been passed, imposing penalty, though illegality in excavation have been noted.

5. We, thus, find it appropriate to require the petitioner to make exhaustive and elaborate representation to the Collector concerned for redressal of the grievances, who may consider the same and take appropriate decision.

6. Thus, this PIL petition is finally disposed of with the liberty to the petitioner to approach the Collector concerned by way of making detailed and elaborate representation giving all the necessary details and taking all the pleas, which may be available to the petitioner, within a fortnight from today. If in case any such representation is made to the Collector by the petitioner, the same shall be considered and appropriate decision thereon shall be taken by the Collector concerned within next eight weeks.

7. We make it clear that in case the petitioner makes any representation to the Collector, respondent nos.1 and 2 and all other concerned shall be given adequate notice of such proceeding to be drawn by the Collector.

Digitally signed
by JAYANT
VISHWANATH
SALUNKE
Date:
2024.07.05
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(AMIT BORKAR, J.)

(CHIEF JUSTICE)