

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

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WRIT PETITION NO. 8881 OF 2024

Sharad Vitthal Koli

... Petitioner

V/s.

Milind Shambharkar,
District Collector, Solapur,
District – Solapur and Ors.

... Respondents

Mr. M.A. Choudhari for the Petitioner

Mr. O.A. Chandurkar, Addl.G.P. with Ms. G.R. Raghuwanshi, AGP for
Respondent No.12

**CORAM : ALOK ARADHE, CJ. AND
SANDEEP V. MARNE, J.**

DATE : 13 JUNE 2025

P.C. :

1. In this Writ Petition, the Petitioner, *inter-alia*, has prayed for a direction to declare the excavation carried out by Respondent No.11 with the help of Officers of the State Government is illegal.

2. The Petitioner claims himself to be a social worker. The Petitioner had filed several complaints against Respondent No.11 with regard to illegal and unauthorized excavation of the sand at a Satha namely Ghodeshwar Tamdardi Satha – 2 being situated at Ghodeshwar Gat No. 108(Part), 107, 105 and 104 and Tamdardi Satha being Gat No.1,6,7,16,17

and 15 at Bhima River. The Petitioner had made several complaints to the authorities. However, no action was taken on the complaints submitted by the Petitioner. Thereupon, the Petitioner had filed the instant Petition.

3. The Respondents have filed an affidavit in reply. In the affidavit in reply, it has been stated that an enquiry into complaints of the Petitioner has been conducted and the contention of the Petitioner that there is an illegal and unauthorized excavation, has not been found established.

4. In view of aforesaid stand taken by the Respondents in the affidavit in reply, the learned Counsel for the Petitioner submits that he be granted the liberty to assail the enquiry report in an appropriate forum in accordance with law.

5. In view of aforesaid submission, the Writ Petition is disposed of in terms of the liberty as prayed for.

(SANDEEP V. MARNE, J.)

(CHIEF JUSTICE)