

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3764 OF 2025

Maharashtra Academy Of Engineering And
Educational Research Pune

...Petitioner

Versus

The State Of Maharashtra Thor.

Its Principal Secretary Revenue And Forest Department ...Respondents

Adv. Sukumar Ghanvat, for the Petitioner.

Mr. V.G. Badgujar, AGP for Respondent-State.

CORAM : G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.

DATE : 25 MARCH 2025

P.C.:

1. This petition under Article 226 of the Constitution of India is filed praying for the following substantive reliefs.

“a) This Hon'ble High Court be pleased to issue Writ of mandamus or Writ in the nature of mandamus or any other appropriate Writ, order or direction to the Respondent no. 2 & 7 to stop the Mining Activity completely, determine the area actually used for Mining in excess of the permitted Mining area of 40 R in Gat No. 169, and to check whether the Respondent no. 8 & 9 have encroached upon the adjoining areas in Gat No. 169 (part) & 168 for excavation, storage and transportation of the material and to check whether all the conditions stipulated in the Licenses have been fulfilled by the Respondent no.8 & 9.

b) It is further prayed that in the event of damage caused to the Petitioner land in Gat No.169(part) & 168, this Hon'ble Court may be pleased to direct the Respondent no. 2 to assess and determine the damage caused to the above Gat Nos. and saddle the cost on Respondent No.8 & 9 & to pay compensation to the Petitioner Trust.”

2. It appears to us that there is a dispute between the petitioner and respondent nos. 8 and 9. Such dispute is a subject matter of a pending suit which is instituted by the petitioner after this petition was filed, thus, the issues raised in this petition are the subject matter as also asserted by the petitioner in the suit in question.

3. It may be observed that the petitioner has made a complaint of illegal quarrying being undertaken by the respondent nos. 8 and 9 on the land in question. In such context a letter dated 3 March 2025 is issued by the District Mining Officer to the petitioners that he is looking into the complaint. Let the issue be gone into by the concerned officer.

4. In this view of the matter, we are not inclined to entertain this petition.

5. Writ Petition is accordingly disposed of. No costs.

[ADVAIT M. SETHNA, J.]

[G. S. KULKARNI, J.]