

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

WRIT PETITION NO. 3783 OF 2025

Anil Namdev Kandarkar ... Petitioner
Versus
Tahasildar Kolhapur & Ors. ... Respondents

Mr. Yuvraj Narvankar for the Petitioner.
Mrs. P. J. Gavhane, AGP for Respondent Nos. 1 to 3.

**CORAM: MANISH PITALE, J.
DATE : 23rd JUNE 2025**

P.C. :

. Heard learned counsel for the petitioner and learned AGP for respondent.

2. It is contended on behalf of the petitioner that the impugned order does not properly take into consideration a specific communication dated 7th September 2022, issued by the District Mining Officer of Kolhapur, certifying that royalty challans were indeed submitted by the petitioner in respect of the amount of minor mineral excavated and the payment towards balance was also deposited. It is the specific case of the petitioner that in the light of the said communication and the manner in which the system works of adjusting royalty from amounts due to the petitioner, there can be no amount due and payable by the petitioner.

3. The petitioner has made out a *prima facie* case in his favour to claim that in the light of deductions being made from amounts payable to him as a PWD contractor, royalty payments cannot be said to be due from him.

4. In view of the above, issue notice for final disposal, returnable on **1st August 2025**.

5. The respondents shall file their reply affidavits within three weeks from today. Rejoinder affidavit, if any, be filed within one week thereafter.

6. In the meanwhile, there shall be ad-interim relief in terms of prayer clause (b).

MANISH PITALE, J.