

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5506 OF 2025

Bhairavnath Stone Cursher Throu. Its
Prop Pradeep N Mandave Alias Salunkhe ...Petitioner
Versus
Ld District Collector Of Satara And Anr ...Respondents

Adv. Manoj Patil a/w Adv. Kalyani Mangave, for the Petitioner.
Ms. P.J. Gavhane, AGP for State- Respondent.

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

DATE : 25 APRIL 2025

P.C.:

1. This petition filed under Article 226 of the Constitution of India prays
for the substantive reliefs which reads thus :-

“b. This Hon'ble Court be pleased to issue writ of mandamus and or any other appropriate writ, order and or direction and to direct the Ld. Tahsildar of Khataw/Respondent No. 2 to immediately remove the illegal seal put on 18 April 2025 and to desal the petitioner stone crusher within 24 hours in the interest of justice.

d. This Hon'ble Court be pleased to issue writ of mandamus and or any other appropriate writ, order and or direction and to direct the Respondent Authorities not to take any illegal action/coercive action against the Petitioner during the course of transportation of finished goods product from the Petitioner site after desal of the stone crusher.”

2. Thus, the case of the petitioner is that the stone crusher was illegally sealed. It appears that the said stone crusher was inspected on 4 April 2025 and same was sealed on 18 April 2025 on the ground that the petitioner did not have consent to operate the said unit, which is issued by the Maharashtra Pollution Control Board. Accordingly on 24 April 2025 recording the

contentions as urged on behalf of the petitioner that the petitioner has recently received consent to operate dated 16 April 2025, to enable the Tahsildar to verify the same, we had adjourned the proceedings.

3. Ms. Gavhane, learned AGP on instructions and on the communication received by her on 24 April 2025 from the Tahsildar, Taluka Khatav, District. Satara, (Bai Sarjerao Mane), a copy of which is placed on record, states that the consent to operate, as received by the petitioner dated 16 April 2025, has been verified and accordingly further steps would be taken to de-seal the petitioner's stone crusher, which were sealed on 18 April 2025.

4. We accordingly direct the Tahsildar to take immediate steps to de-seal the petitioner's stone crusher unit and which be undertaken by tomorrow.

5. In this view of the matter, further adjudication of this petition is not called for. The writ petition stands disposed of in terms of the aforesaid observations. No costs.

6. In the event, the petitioner has any issue in regard to the transportation of its material, all rights and contentions in that regard are expressly kept open.

7. The parties to act on the authenticated copy of this order.

[ADVAIT M. SETHNA, J.]

[G. S. KULKARNI, J.]