



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

WRIT PETITION NO.8504 OF 2025

Sanjeev Bapureddy Shelke ..Petitioner
vs.
State of Maharashtra and ors. ..Respondents

Adv. Abhijit Patil, for the Petitioner.

Ms. Reena A. Salunkhe, AGP, for Respondent Nos.1 to 3-
State.

**CORAM : M. S. KARNIK &
N. R. BORKAR, JJ.**

DATE : 1st JULY, 2025

P.C. :

- 1.** Heard learned counsel for the parties.
- 2.** Learned counsel for the Petitioner submits that no royalty need be paid on finished stone metal under the provisions of the Maharashtra Minor Mineral Extraction (Development and Regulation) Rules, 2013. Reliance is placed on the several decisions of this Court, one such decision is in **Vishwas Ratan Murtadak vs. The State of Maharashtra and others¹**.

¹ Writ Petition No.5885 of 2024

3. Learned AGP on the other hand, relying on the order dated 8th May 2025 in **Aai Ekvira Devi Chalak Malak Dumper Sangathana and anr. vs. The State of Maharashtra and ors.**² submitted that against an order impugned, there is a remedy of an Appeal available under Section 247 of the Maharashtra Land Revenue Code, 1966. With fine, the amount payable by the Petitioner is quantified by the Additional Tahsildar as Rs.2,73,467/-. The penalty on the vehicle is determined at Rs.2,00,000/-. In our opinion, as the Petitioner is willing to deposit a sum of Rs.75,000/- with the Additional Tahsildar, Panvel within a period of two weeks from today, without prejudice to the rights and contentions, the Petitioner is allowed to withdraw the Petition with a liberty to file an Appeal before the Appellate Authority. The amount of Rs.75,000/- is to be deposited with the Additional Tahsildar, Panvel within a period of two weeks from today. The Petitioner shall file an undertaking with the Additional Tahsildar, Panvel that he will produce vehicle No.MH-47-BL-4149 which has been seized on demand. Further, undertaking will be filed that the vehicle

2 Writ Petition No.5979 of 2025

shall not be taken out of the State of Maharashtra without leave of the Additional Tahsildar, Panvel. On furnishing of the undertaking the vehicle is to be released. In case the amount is not deposited within a period of two weeks from today, the Petitioner to surrender the vehicle to the Additional Tahsildar, Panvel.

4. All contentions of the parties are kept open to be decided in Appeal.

5. The Writ Petition is disposed of.

(N. R. BORKAR, J.)

(M. S. KARNIK, J.)