



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7067 OF 2024

Mohammad Muntajib Khan Wahid Khan

...Petitioner

Versus

The State of Maharashtra and Others

...Respondents

- Mr. G. R. Syed h/f Mr. Rehan Khan, Advocate for the Petitioner.
- Mr. S. D. Ghayal, Addl. GP for Respondent – State.

CORAM : AJIT B. KADETHANKAR, J.

DATE : MARCH 10, 2026

P. C. :

1. Pursuant to the order dated 11th March 2025 passed by this Court in Writ Petition No.2702 of 2024, in fact, the grievance / representation of the petitioner ought to have been taken up for consideration by the District Sand Monitoring Committee constituted under the modified sand policy i.e. incorporated in the Government Resolution dated 28th January 2022.

2. Mr. Syed, learned counsel for the petitioner would submit that despite this being procedure, the representation/appeal was considered by the District Collector, Parbhani in his individual capacity and not by the District Sand Monitoring Committee. He would submit that in view of the modified sand policy introduced vide Government

Resolution dated 28th January 2022, the subject matter ought to have been considered by the said Committee. He would further submit that no doubt the Collector would be an *ex-officio* chairman of the said Committee; however, the impugned order lacks jurisdiction and authority to decide the petitioner's claim.

3. Mr. Ghayal, learned AGP would fairly agree that the impugned order is passed by the Collector, Parbhani in his individual capacity, but not as a chairman of the District Sand Monitoring Committee.

4. In view of this, this writ petition can be disposed of with following directions.

- A) The writ petition stands disposed of.
- B) The impugned order dated 22nd May 2024 (Exhibit E, page No.30) issued under seal and signature of the Collector, Parbhani rejecting petitioner's application is quashed and set aside.
- C) The application / representation filed by the petitioner on 27th January 2023 be placed before the Parbhani District Sand Monitoring Committee.
- D) The District Collector, Parbhani shall place the file

before the Committee within a period of four weeks from today.

E) The Committee shall take appropriate decision on the application filed by the petitioner within a period of four weeks thereafter.

F) Before deciding the petitioner's application, the petitioner shall be given an opportunity to be heard and also to produce on record any documents in support of his grievance.

5. With these observations the writ petition stands disposed of.

(AJIT B. KADETHANKAR, J.)