



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 5153 OF 2026

Vijay Makan Shinde

VERSUS

The State Of Maharashtra Thr. Divisional Commissioner Nashik And
Others

...

Mr. S. S. Gangakhedkar, Advocate for the Petitioner

Mr. A. B. Girase, GP for Respondent-State

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**CORAM : SMT. VIBHA KANKANWADI &
AJIT B. KADETHANKAR, JJ.**

DATED : 08TH MAY, 2026

ORDER :-

. Heard learned Advocate for the petitioner. He has also placed recent photographs of the spot on record. They are taken by marking Exhibit-X collectively.

2. Learned Advocate for the petitioner has taken us to the e-tender in respect of the sand excavation and submits that though it is specifically stated in the tender that the spot would be handed over to the bidders after the water gets dry from the river, the photographs taken on 17.03.2026 would show that still there is water in the river and yet various machineries have been installed for excavation of the sand. It also appears from the record that the petitioner had made complaints with various authorities. Exhibit-X collectively are the photographs taken on 02.05.2026 that to at 22:53 hours, wherein even the police had visited the spot. The photographs subsequently taken on 06.05.2026 show that the machinery were still

at the spot and work of excavation of sand was going on. Thus, it appears that in spite of visit of the police, the activities have not been stopped and therefore, we are interfering in the matter.

3. Issue notice to the respondents. Learned AGP waives service of notice for respondent nos.1 to 4. We direct the petitioner to add Dy. Superintendent of Police, Nandurbar and Police In-Charge of local police station as party respondent. Amendment to be carried out immediately. Learned AGP waives service of notice for the added respondents also. Notice of respondent nos.5 to 8 is made returnable on 16.06.2026. Till then, the respondent nos.2 to 4 and added respondent Dy. Superintendent of Police, Shahada, Sub Division Shahada, Nandurbar as well as Police In-Charge Office, Shahada Police Station to see that the sand excavation activities do not take place from the sand spot allotted to respondent nos.5 to 8.

4. We make it clear to the respondent nos.1 to 4, 9 and 10 that if the activities are not stopped, then they would be held responsible under the Contempt of Courts Act.

[AJIT B. KADETHANKAR, J]

[SMT. VIBHA KANKANWADI, J.]