

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

WRIT PETITION NO. 448 OF 2026

Venkateshwara Sand Suppliers
Through Mr. Ganesh Bajrang Nalawade ... Petitioner
vs.
The State of Maharashtra & Anr. ... Respondents
...

Mr.Nitin Gaware Patil with Mr.Omkar Chavan i/b. Mr.Harsh Rathod
for the Petitioner.
Mr.P.P.Kakade, Addl.GP with Ms.Priyanka Chavan, AGP for the
Respondent -State.
Mr.Umesh Rathod, Under Secretary, Revenue Department,
Mantralaya is present.
...

**CORAM : RAVINDRA V. GHUGE &
ABHAY J. MANTRI, JJ.**

DATE : JANUARY 21, 2026

P.C:

1. This matter was heard for a considerable time.
2. We could notice that there are heavily disputed factors in the matter.
3. The learned Advocate for the Petitioner submits, on instructions, that the Petitioner would receive the amount of Rs.1,40,02,788/-, as offered by the State, in view of the order passed

by the Revenue Minister, Animal Husbandry and Dairy Development Department, State of Maharashtra, dated 03.10.2024, in Minor Minerals-35/0621/ Pra. Kra. 288/ Kha-2, without prejudice to the rights of the Petitioner to claim interest on the said amount by preferring a civil suit.

4. The learned Addl. GP submits that the State could have raised a claim against the Petitioner for loss of revenue after the Sand Ghat at Mauje Vadoli, Bhikeshwar-Kotee, Taluka Karad, District Satara, was handed over to the Petitioner upon his depositing Rs. 1,54,00,000/- in the auction process. He further submits that the Petitioner excavated 300 brass during 142 days of possession, whereas he was expected to excavate 3312 brass in 220 days, at an average excavation rate of 15 brass per day. As a consequence of the order dated 03.10.2024, the State has to refund an amount of Rs. 1,40,02,788/- to the Petitioner on 22.12.2025.

5. Since the Petitioner desires to withdraw the Petition and raise a claim for interest before the Civil Court, **this Writ Petition is disposed off** as withdrawn, on instructions.

6. Since the order is dated 03.10.2024, the Petitioner can approach the Civil Court within the limitation period of three years. All contentions of the parties as well as the State, are kept open.

(ABHAY J.MANTRI, J.)

(RAVINDRA V. GHUGE, J.)