

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

WRIT PETITION 6466 OF 2022

JAYSHRI D/O VIJAY WELDA

Vs.

STATE OF MAHARASHTRA, THROUGH ITS SECRETARY, MINISTRY
OF TRIBAL DEVELOPMENT AND ORS.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri V. N. Morande, Advocate for petitioner.
Smt. K. R. Deshpande, AGP for respondents 1 to 5 and 7
Shri R. D. Karode, Advocate for respondent 8.

**CORAM :- ROHIT B. DEO &
M. W. CHANDWANI, JJ.**

DATED :- 26-06-2023

We are not required to examine the contention of the petitioner that the Gram Sabha having opposed the auction of the sand ghat, the view of the Gram Sabha must prevail and there is no discretion vested with the authority to go ahead with the auction contrary to the wishes of the Gram Sabha.

2. We note that it is not even the case of the petitioner that any decision contrary to the views expressed by the Gram Sabha is taken and that the subject sand ghat is put to auction.

3. If any decision is taken to put the subject sand ghat to auction, the said decision may be challenged in appropriate proceedings, if according to the villagers, the decision is contrary to law.

4. We clarify that we have not expressed any opinion on the merits of the contentions.

5. The petition is disposed of.

(M. W. CHANDWANI, J.)

(ROHIT B. DEO, J.)

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