

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12121 OF 2013

Narottamlal Oza.

..Petitioner.

Versus

Asstt. Commissioner, BMC.
and Others.

..Respondents.

Mr. Kishor Patil for the Petitioner.

Mr. R. M. Patne, AGP for the State.

Coram : RANJIT MORE, J.

Date : **December 24, 2013.**

P. C. :

1. Heard. By the order dated 12th December 2013, Licences granted to the Petitioner to run the Medical Shop have been cancelled by Respondent No.1 on various grounds. The cancellation order [which is at Exhibit-A] itself discloses that said order will come into effect after 27th January 2014.

2. Mr. Patil, learned Counsel appearing for the Petitioner states that the Petitioner wants to challenge the said order before the appellate forum by way of appeal and accordingly the Petitioner has prepared appeal memo and stay application, however, same is not accepted by Respondent No.3, the learned Minister, Food & Drug Administration,

Maharashtra State as he was busy in the Assembly Session at Nagpur. Mr. Patne, learned AGP submits that now the Assembly Session is over and the Petitioner's appeal and application would be accepted and registered. He further submits that said appeal would be decided on priority basis taking into consideration the fact that cancellation order would take effect after 27th January 2014.

3. In view of aforesaid facts and circumstances, petition is disposed of on following terms :

- [i] The Petitioner is at liberty to file appeal challenging the cancellation order dated 12th December 2013.
- [ii] In the event, Petitioner files such appeal within a week from today, same shall be disposed of as expeditiously as possible and preferably on or before 24th January 2014.
- [iii] All points and contentions of the respective parties are kept open.

[RANJIT MORE, J.]