

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1)

WP NO.4919/2015

55 WRIT PETITION NO. 4919 OF 2015

K M DESHMUKH THROUGH PRO. UTTAMRAO KASHINATHRAO
DESHMUKH

VERSUS

STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr.Salunke V.D.

AGP for Respondent State:Mrs.A.V.Gondhalekar

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CORAM : R. M. BORDE & P.R. BORA, JJ.

Dated: June 29, 2015

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PER COURT :-

1. It is not a matter of dispute that an appeal presented by the petitioner, taking exception to the order of suspension of his authorization, dated 10.12.2014, is pending consideration before the Deputy Commissioner (Supply). The petitioner contends that hearing had taken place in the matter, however, as a result of the transfer of the Presiding Officer, the matter was not decided. It is further stated that the petitioner insisted for taking up the appeal before the officer occupying the post, however, the said officer was reluctant to take up the matter. As such, the petitioner presented a Purshis seeking withdrawal of the matter. The officer even did not pass any order on the Purshis presented by the petitioner. It is, thus, clear that the appeal presented by the petitioner is pending consideration before the Deputy Collector (Supply).

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(2) WP NO.4919/2015

2. The Purshis presented by the petitioner, seeking withdrawal of the appeal, shall be deemed to have been not pressed by the petitioner, and the concerned official shall take up the appeal for consideration, and decide the same on its own merits and in accordance with the provisions of law as expeditiously as possible, preferably within a period of four weeks from today. The official dealing with the matter shall take decision without being influenced by the communication at Exh.L, page No.53.

With the directions as above, the writ petition stands disposed of.

(P.R. BORA, J.)

(R. M. BORDE, J.)

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