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

WRIT PETITION NO. 9571 OF 2015

Hotel Palkhi International,
Akashwani Road, Sindhi Colony,
Jalgaon, District Jalgaon
Through its Proprietor
Shri Suresh Hukumatrai Jadhavani,
Age: 48 years, Occu: Business,
R/o. Plot No. 1, Gayatri Nagar, Jalgaon,
District Jalgaon

..PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Secretary for
Home Department,
Mantralaya, Mumbai
2. The Divisional Commissioner,
Nashik Division, Nashik
3. The Collector, Jalgaon,
District Jalgaon

..RESPONDENTS

Mr V. D. Hon, Senior Advocate instructed by Mr A. V. Hon, Advocate for
petitioner;

Mr A. P. Basarkar, Asstt. Govt. Pleader for respondents

CORAM : N.W. SAMBRE, J.

DATE : 17th November, 2015

ORAL ORDER :

The order passed by the Divisional Commissioner, refusing to grant
stay in favour of the petitioner, cancelling the hotel licence of the petitioner,
is subject-matter of the present petition.

(2)

2. After hearing Mr Hon, learned Senior Counsel appearing on behalf of the petitioner, for some time, it is noticed that Appeal No.13 of 2015 is pending on the file of Divisional Commissioner, Nashik Division, Nashik and is scheduled for hearing on 24th November, 2015. It is the case of the petitioner-licence holder that having invested huge amount in the business and in view of closure of the business premises, he is unable to repay the loan obtained from the financial institutions. So also, the petitioner is unable to maintain the employees who were recruited at the time of operation of the licence. Thus, the petitioner prayed to expedite the hearing of the appeal.

3. Mr Hon would submit that the hearing in the matter is already complete and the appeal can be directed to be decided on that day and if the authority is not available on that day, on any other day, at the earliest. The request being reasonable and consented by the learned Asstt. Govt. Pleader is acceded to. In view thereof, I pass the following order :-

Writ Petition stands disposed of.

It is directed that the Divisional Commissioner, Nashik Division, Nashik shall decide Appeal No.13 of 2015 on 24th November, 2015, or in case if the authority is not available on the said date, on the adjourned date, which shall not be after a period of one week thereafter.

Office to issue authenticated copy of this order to the learned Asstt. Government Pleader, who undertakes to communicate this order to the Divisional Commissioner, Nashik Division, Nashik.

In the circumstances, there shall be no order as to costs.

(N.W. SAMBRE, J.)

amj