

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.9960 OF 2015

Dinesh Hanumantro Bobade

Petitioner

Versus

The State of Maharashtra and others

Respondents

Mr.Ashiwin V. Hon advocate for the petitioner
Mr.D.R. Kale, GP for Respondents

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

Dated : 1st OCTOBER, 2015.

PER COURT :-

1 The grievance raised by the petitioner in the instant petition is that, respondent No.4 Additional District Magistrate, Parbhani, in spite of tendering application, seeking renewal of Eating House License, presented in March, 2015, has not dealt with the application and no order has been passed. As a result of failure of the Additional District Magistrate to pass any order in respect of renewal of Eating House License, the petitioner, who is also holder of FL-III license, is facing difficulties in securing renewal of his license from the competent authorities of Excise Department.

2 It is brought to our notice that, the Commissioner of State Excise has extended protection to the petitioner until end of September, 2015 and has requested the Additional District Magistrate to take decision on

the application tendered by the petitioner for renewal of Eating House License.

3 The petitioner apprehends that, as a result of failure on the part of Additional District Magistrate, to deal with the application, he may have to stop the FL-III outlet, after expiry of period extended by the appellate authority.

4 In the facts and circumstances, this petition can be disposed of by directing the Additional District Magistrate, Parbhani to take decision on the application tendered by the petitioner for renewal of Eating House License, as expeditiously as possible and preferably within a period of fifteen days from today and it is accordingly directed. Since the petitioner has been protected by the Commissioner of State Excise, until the end of September, 2015, we deem it appropriate to extend protection granted by the Commissioner of State Excise until the end of October, 2015. In the event of issuance of any adverse order by the Additional District Magistrate, it would be open for the petitioner to avail of alternate remedies available in law.

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

(P.R. BORA, J)

(R.M.BORDE, J)