

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.6101 OF 2015

Shri. Waman T. Takalkar

.. Petitioner

Versus

State of Maharashtra and others

.. Respondents

Mr. S. S. Kanetkar, for the Petitioner.

Mr. S. D. Rayrikar, AGP for the Respondents.

CORAM : R.M. SAVANT, J.

DATE : 08th JULY, 2015

PC.

1. The Writ Jurisdiction of this Court is invoked against the communication dated 20.06.2015, by which communication the parties have been informed as regards the decision on the objections taken by them. The communication has an annexure by way of a list in which the decision on the objection is mentioned. In so far as the Petitioner is concerned, Petitioner's name appears at Sr. No.25 of the list annexed to the said communication dated 20.06.2015. The said list discloses that the objection taken by the Petitioner has been rejected on the ground that since the 73 individuals in respect of whom the Petitioner has raised an objection are working with the licenced Traders or Commission Agents, their names cannot be deleted. The letter dated 20.06.2015 makes a

reference in the subject column to the report dated 23.06.2015. If the order is passed on 20.06.2015 then the question that begs an answer is how the report could have been taken into consideration. The Petitioner also challenges the said communication on the ground that without hearing the Petitioner in respect of his objection the said decision has been taken.

2. The Learned AGP Mr. S. D. Rayrikar on instructions of the Respondent No.2 states that in so far as the Petitioner's objection and rejection of the same is concerned, the communication restricted to the Petitioner's objection would stand withdrawn and the Petitioner's objection would be heard de-novo after giving proper opportunity to the Petitioner. The Learned AGP further states that the Petitioner would be heard on 16.07.2015 at 3.00 p.m. and that appropriate orders would be passed by the Respondent No.2 immediately. Hence, by accepting the statement made by the Learned AGP on instructions of the Respondent No.2, the above Petition is disposed of. The Learned AGP further states that a copy of the report dated 23.06.2015 would be furnished to the Petitioner in the course of the day.

[R.M. SAVANT, J]