

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

rrpa

WRIT PETITION NO.8683 OF 2014

M/s. Bajaj Healthcare Ltd. & Anr. .. Petitioners
Vs.
Union of India & Ors. .. Respondents

....
Mr.S.P.Mathew a/w. Mr.Ajay Singh, Mr.Stabin Mathew i/b. Mr.Sagar
V. Kasar, Advocate for the Petitioners.
Mr.A.S. Rao with Mr.S.D. Bhosale, Advocate for the Respondents.
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**CORAM : S.C. DHARMADHIKARI &
SUNIL P. DESHMUKH, JJ.**

DATED : MARCH 11, 2015.

P.C. :

On the earlier occasion this matter was adjourned so as to enable the respondents to take instructions and indicate to the Court when the pending Appeals will be disposed of.

2 Mr.A.S. Rao, appearing on behalf of the respondents on instructions states that presently there is a vacancy in the post of Commissioner (Appeals), Central Excise Mumbai Zone-I. In such circumstances, some longer time be given to dispose of these Appeals.

3 The petitioners' advocate on instructions states that it would have no objection if the Appeals are assigned to some other Zonal Commissioner available. The petitioners would not raise objection of territorial jurisdiction of the said Zonal Commissioner (Appeals).

4 In the light of the above position, we direct that the pending Appeals of the petitioners shall be assigned to any other Commissioner (Appeals) within the city of Mumbai or Mumbai suburban. These Appeals shall then be decided by the said Commissioner, as expeditiously as possible, and within a period of three months from the date the impugned order is communicated to him. We keep open all contentions of parties and to be raised during the course of such Appeals. In the light of this direction, nothing survives in this writ petition. It is accordingly disposed of.

(S.P. DESHMUKH, J.)

(S.C. DHARMADHIKARI, J.)