

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.9324 OF 2015

Smt. Mandakini S. Bhalerao.] ... Petitioner

Versus

The State of Maharashtra and Ors.] ... Respondents

Mr. P. S. Dani, Senior Advocate, i/b Mr. Santosh L. Patil for Petitioner.
Mr. S. D. Rayarikar, A.G.P. for State-Respondent Nos.1 to 3.

CORAM :- M. S. SONAK, J.
DATE :- OCTOBER 01, 2015

P. C. :-

1. As against the order dated 05/09/2015 made by the Collector, Nashik, an appeal shall lie to the State Government under Section 137 (2) of the Bombay Prohibition Act, 1949. Mr. Rayarikar, learned A.G.P. for Respondent Nos.1 to 3, has also contended that alternate and efficacious remedy by way of appeal is available to the Petitioner. As such, it is not necessary to entertain the present petition.

2. Mr. Dani, learned Senior Counsel appearing for Petitioner, states that such appeal shall be instituted before the State Government within a period of two weeks from today. Considering the facts and circumstances of the present case, once such appeal is instituted, the

State Government is directed to dispose of the same as expeditiously as possible and in any case, within a period of eight weeks from the date of institution thereof.

3. With the aforesaid observation, the present petition is dismissed.

4. It is made clear that this Court has not examined the merits of the matter and accordingly it shall be open for the appellate authority to decide the appeal, if and when instituted, on its own merits and in accordance with law.

(M. S. SONAK, J.)

CERTIFICATE

Certified to be true and correct copy of the original signed
Order.