

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.2949 OF 2014

Mandakini Jankiwallabh Melekar & Anr. Petitioners

V/s

State of Maharashtra & Ors. Respondents

Mr. D.B. Savant for Petitioners.

Mr. G.W. Mattos, AGP for Respondent Nos.1 to 3/State.

Mr. Nagendra Dube for Respondent No.4.

CORAM : A.A. SAYED, J.

DATED : 2 FEBRUARY 2015

P.C.

1 During the course of hearing, learned Counsel for the Petitioners and learned Counsel for Respondent No.4 are agreed to the following order being passed:

- i) The Petitioner No.1 shall pay the privilege fees of Rs.2,85,600/- in terms of the letter dated 30 October 2014 of the Collector (State Excise) within a period of two weeks from today.
- ii) The Petitioner No.1 shall be entitled to deduct the 25% of the aforesaid amount from the amount paid by her to Respondent No.4 towards the share of Respondent No.4 from the proceeds of the business in terms of the order dated 8 July 2008 in Writ Petition (L) No.983 of 2008.

2 The Respondent Nos.2/3 are directed to delete the name of Petitioner No.2 from CL-III License within a period of four weeks of payment of the privilege fees.

3 In the peculiar facts and circumstances of the case and as there was a dispute between the sisters as to who is required to pay the privilege fees and the matter was subjudice, interest of justice would be served by directing that the delay in payment of the privilege fees shall stand condoned. It is accordingly ordered. Consequently, the Authorities shall not insist on payment of any penalty for the delay in payment of privilege fees.

4 The Petition is disposed of in the aforesaid terms with no order as to costs.

(A.A. SAYED, J.)

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