

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 952 OF 2016

NARENDRASINGH GURUBAKSHSINGH GHADISAAJ
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Petitioner : Mr.Amol A Kokad
AGP for respondent No.1. : Mr. S.S. Dande.
Advocate for respondent No.2 : Mr. S.S. Bora.
Advocate for respondent No.3 : Mr. S.B. Bodde, h/f. Mr. R.K. Ingole Patil

**CORAM : S.V. GANGAPURWALA &
K.K. SONAWANE, JJ.**

DATE : 2nd APRIL, 2016.

PER COURT:

1] Heard. Learned counsel for the petitioner states that the petitioner had filed an appeal under Section 47 of the M.R.T.P. Act. However, same was not decided. The reason given was, in fire, papers were destroyed. Again, the petitioner has given a fresh appeal memo in 2015 alongwith the set of documents that were destroyed in fire. However, no dates are being given.

2] We have heard Mr. Bora for the respondent and the learned AGP.

3] In view of the fact that according to the petitioner the proceedings are still pending in appeal with the respondent No.1, it would not be appropriate to dilate on merits of the matter. The petitioner has claimed limited relief seeking directions against respondent No.1 to decide the said appeal.

4] In case the appeal filed by the petitioner under Section 47 of the MRTP Act, is stilling pending with the respondent No.1, the respondent No.1 shall decide the same on its own merits, expeditiously after hearing all concerned, preferably within 9 months. Writ petition is accordingly disposed of. No costs.

[K.K. SONAWANE,J.]

[S.V.GANGAPURWALA,J]

grt/-