

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 1550 OF 2016
IN
WRIT PETITION NO. 10322 OF 2013

A. B. Lodha a propriatory Firm
Through its proprietor,
Anil Bansilal Lodha,
Through his G. P. A.,
Rajendra Shantilal Dhoka

.. **Petitioner**

Versus

The Collector,
Aurangabad and others

.. **Respondents**

Shri Sunil A. Kulkarni, Advocate for the Petitioner.
Miss S. S. Raut, A. G. P. for Respondent Nos. 1 to 3 and 6.
Respondent Nos. 4 and 5 deleted.

CORAM : S. V. GANGAPURWALA AND
K. K. SONAWANE, JJ.
DATE : 22ND JULY, 2016.

PER COURT :-

1. It is submitted by Mr. Kulkarni, the learned counsel for the applicant that the application for renewal was filed on 17.12.2012, however, the said application was not considered. At the time when the application was given the Rules were not amended and the said application was required to be considered as per the Rules existing on the date of filing the application.

2. According to the learned A. G. P., the application was required to be given in 'Form B' as earlier also the license was renewed in 'Form B'.

3. Mr. Kulkarni, the learned counsel submits that, if, they grant renewal for only 2 years that would lapse in 2015 and the renewing period after 2015 till date will also have to be considered.

4. The Respondents shall consider the application dated 17.12.2012 as per the rules existing on the date the said application was filed. If, some compliance is required to be made the applicant shall make necessary compliance, however, we make it clear that, even if, the compliance is made today the application dated 17.12.2012 shall be consider as per the Rules existing then and not as per the amended Rules.

5. For renewal of license from 2015 onwards the Petitioner may file in application for renewal of license now within 2 weeks. The said application shall be considered as per the Rules existing now, however, the said application shall not be rejected only on the ground that it is not filed prior to 3 months of the expiry considering the fact that the present matter was pending before this court. The said application though would be filed now, shall be considered for renewal from 2015 i.e. the date the earlier renewal period would lapse.

6. The Civil Application stands disposed of.

[K. K. SONAWANE, J.]

[S. V. GANGAPURWALA, J.]