

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

WRIT PETITION NO. 5077 OF 2016

Ramraje s/o Narayan Ranjwan and others ...Petitioners

Versus

District Magistrate, Beed and others ... Respondents

**AND
WRIT PETITION NO. 5078 OF 2016**

Vijay s/o Vasantrao Maujkar (Davkar)
and another ... Petitioners

Versus

District Magistrate, Beed and others ... Respondents

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Mr. S. S. Gangakhedkar, Advocate for petitioners
Mr. S. K. Tambe, Assistant Government Pleader for
respondents

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CORAM : SUNIL P. DESHMUKH, J.

DATE : 4th MAY, 2016

ORDER :

1. Petitions have been moved claiming exigency contending that petitioners' livelihood is depending on the eating house licence which has been purportedly cancelled without giving notice to them, upon a complaint by one Mr. Bhagwat Prakashrao Davkar.

2. According to learned counsel, it is absolutely illegal order. He purports to place reliance on a decision in the case of "*Datwani Hotels Pvt. Ltd. Vs. State of Maharashtra and others*" reported in 1988(2) Bom.C.R.95, which according to him may cover the present situation, and as such, urges for interim relief.

3. Learned Assistant Government Pleader, seeks time to take instructions. He further contends that there is alternate efficacious remedy by way of appeal under section 33 of the Maharashtra Police Act, 1951.

4. Looking at aforesaid, learned counsel for petitioners resiles to a situation and states that he would avail of the alternate remedy and proposes to file application for interim relief along with appeal under section 33 of the Maharashtra Police Act, 1951.

5. In view of aforesaid, counsel for petitioners, on instructions, seeks leave to withdraw both the writ petitions with liberty to approach before the appropriate forum which may consider the request of petitioner in right earnest.

6. As such, leave granted. Writ petitions stand disposed of as withdrawn with liberty as prayed for.

7. It is expected that the appellate authority, looking at the exigencies, may take up the matters for hearing at the earliest and decide the same expeditiously.

(SUNIL P. DESHMUKH, J.)

sms