

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

WRIT PETITION NO. 5755 OF 2007

Smt. Indra W/o Onkarnath Kacker,
Age : 73 Years, Occu. : Business,
R/o Indra P-9, Town Centre,
CIDCO, Aurangabad,
Dist. Aurangabad. .. Petitioner

Versus

1. The State of Maharashtra,
Through its Secretary,
Food, Civil Supplies and
Consumer Protection Department,
Mantralaya, Mumbai - 32.
2. The District Collector,
Aurangabad.
3. The Regional Manager,
Hindustan Petroleum Co. Ltd.,
Chikalthana, M.I.D.C.,
Aurangabad. .. Respondents

Shri S. S. Thombre, Advocate for the Petitioner.
Shri A. M. Phule, A.G.P. for Respondent Nos. 1 and 2.
Shri Anjali Dube Bajpai, Advocate for the Respondent No. 3.

**CORAM : S. V. GANGAPURWALA AND
A. M. BADAR, JJ.**

DATE : 02ND MARCH, 2016.

ORAL JUDGMENT (*Per S. V. Gangapurwala, J.*) :

. The petitioner impugns the order/letter dated 29.09.2007, whereby the Collector directed the corporation to take steps to cancel the license of the petitioner's Gas Agency.

2. This Court on 23rd October, 2007 has passed interim orders in terms of prayer clause (E) thereby restrained the respondents from taking any further action on the basis of letter/order dated 29.09.2007.

3. We have heard the learned counsel for the petitioner, the learned counsel for the respondent No. 3/corporation and the learned Assistant Government Pleader.

4. One of the reason for issuing said order was that criminal case is registered against the petitioner. It is submitted that, vide judgment and order dated 27.02.2008, the petitioner is acquitted of the charges leveled against the petitioner. As such the said ground does not remain.

5. The said agency is functioning pursuant to the interim orders passed by this Court in the year 2007 and the criminal case against the petitioner also stands dismissed that is the petitioner is acquitted.

6. Considering the above, the very reason mentioned in the impugned communication does not survive. In the light of the above, the impugned letter/order dated 29.09.2007 (Exhibit - K) is quashed and set aside. Rule accordingly made absolute in above terms. No costs.

Sd/-

[A. M. BADAR, J.]

Sd/-

[S. V. GANGAPURWALA, J.]

bsb/March 16