

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

Writ Petition No. 11985 of 2015

Prashant s/o. Shivajirao Musmade,
Age : 30 years,
Occupation : Business,
Proprietor of Hotel Rajmudra,
Rahuri Factory, Taluka : Rahuri,
District : Ahmednagar.

.. Petitioner.

versus

1. The State of Maharashtra,
Through its Secretary,
Department of State Excise,
Mantralaya, Mumbai - 32.
2. The Commissioner of State Excise,
Maharashtra State, Mumbai.
3. The Collector,
Ahmednagar.
4. The Superintendent of State Excise,
Ahmednagar.

.. Respondents.

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*Mr. M.A. Dhorde Patil, Advocate, holding for
Mr. Chandrakant K. Shinde, Advocate, for the
petitioner.*

*Mrs. M.A. Deshpande, Asst. Government Pleader,
for respondent nos.1 to 4.*

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(2)

W. P. No. 11985 of 2015

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

DATE : 19TH JANUARY 2016

PER COURT :

1. The learned Counsel for the petitioner submits that the petitioner applied for permission to run permit room in his hotel by name 'Hotel Rajmudra' situated in Deolali-Pravara Nagar Panchayat (Taluka : Rahuri, District : Ahmednagar). The said application was rejected. The petitioner filed an appeal before respondent no.2 under Section 137(2) of the Bombay Prohibition Act 1949, in July 2015. As yet, the same is not decided.

2. The learned Asst. Government Pleader submits that in case the said appeal is pending, the authority would decide it on its own merits.

3. Considering the fact that the appeal is pending since 1st July 2015, respondent no.2 shall decide the said appeal of the petitioner, if pending, expeditiously, on its own merits, after hearing all concerned, preferably within three months from today.

4. The Writ Petition is disposed of accordingly. No costs.

**(A.M. BADAR)
JUDGE**

**(S.V. GANGAPURWALA)
JUDGE**

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