

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO.1535 OF 2015

Navi Mumbai Hotel Owners Association & Anr. Petitioners

V/s

The Commissioner of State Excise & Ors. Respondents

Mr. R.D. Soni a/w Mr. Sujay Gawade i/b M/s. Shree & Co. for the
Petitioners.

Mr. Manish Pabale, AGP for the Respondent Nos.1 to 4/State.

CORAM : A.S. OKA &

A.A. SAYED, JJ.

DATED : 10 OCTOBER 2016

ORDER:

Heard the learned Counsel appearing for the Petitioners. The Petition is filed on behalf of the Navi Mumbai Hotel Owners Association. The Petitioner has claimed to have filed this Petition on behalf of large number of licence holders (total 172) whose names are appearing in the list Exhibit-C. There is no averment in the Petition that the said 172 alleged members of the Petitioners had expressly authorized the Petitioners to file this Petition on their behalf. There is no resolution produced along with the Petition to show that the said 172 members have in any manner consented to the Petitioners filing the Petition on

their behalf. In the circumstances, we decline to entertain this Petition and the same is disposed of. To enable the aggrieved parties to file Petitions, ad-interim relief which is operative till today is extended by a period of six weeks from today.

(A.A. SAYED, J.)

(A.S. OKA, J.)

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