

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 12699 OF 2016**

**Rajendra @ Rajkumar Chandulal Aasar
Vs.**

..Petitioner

The State of Maharashtra & Ors

..Respondents

Mr. Samir Kumbhakoni for the Petitioner

Mrs. v. S. Nimbalkar AGP for the Respondent Nos.1 and 2

CORAM : R. M. SAVANT, J.

DATE : 23rd DECEMBER, 2016

P.C.

1 The Writ Jurisdiction of this Court is invoked against the order dated 24-5-2016 passed by the Deputy Commissioner (Supplies) Pune Division, Pune. By the said order, the application filed by the Petitioner for transferring the Kerosene licence to his name as the heir of the original licensee, has been rejected. The said rejection is on the ground that the Petitioner does not come within the definition of an “heir” as contemplated by the Government Resolution dated 20-2-2001.

2 The Learned Counsel appearing on behalf of the Petitioner Mr. Kumbhakoni relies upon clause 2(b) of the said circular and points out that the said clause (b) contemplates transfer to a legal heir. The Learned AGP Mrs. Nimbalkar states that against the impugned order the Petitioner has a remedy by way of a Revision / Appeal before the State Government. In my view, it is

therefore not necessary for this Court to interdict in its writ jurisdiction. The Petitioner may avail of the said remedy. If any such Appeal or Revision is filed by the Petitioner, the same will be decided by the concerned authority having regard to clause (b) of the said resolution and expeditiously.

3 With the aforesaid directions, the Writ Petition is disposed of.

[R.M.SAVANT, J]