

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No. 2370 of 2016

Rameshchandra Pyarelal Ujwane

vs.

The Collector, State Excise Deptt., Gondia & ors.

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*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

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Court's or Judge's Orders

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*Smt. S.P. Deshpande Advocate for the petitioner.
Shri V.P. Maldhure, AGP, for respondent no.1.
Shri Anil Kilor Advocate for respondent no. 3.*

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CORAM : S. B. SHUKRE, J.

DATE : APRIL 22, 2016.

Leave to amend title and prayer clause of petition. The amendment to be carried out in the prayer clause shall incorporate the prayer seeking expeditious disposal of the pending appeal. Similarly, Commissioner, State Excise, Mumbai, shall be added as party-respondent. Amendment to be carried out forthwith.

Heard learned counsel for the petitioner, learned counsel for respondent no. 3 and learned AGP who waives service of notice for respondents 1 and 4.

It is seen from the grounds taken in the petition that these grounds can be taken care of and agitated before the Commissioner, Excise- the authority before whom appeal filed under Section 137(2) of the Maharashtra Prohibition Act,

1949 is pending. Therefore, I am of the view that the purpose of this petition would be served if a direction for expeditious disposal of the appeal itself is issued. Accordingly, it is directed that respondent no. 4- learned Excise Commissioner shall dispose of the appeal within six months from the date of the order, after giving sufficient opportunity of hearing to the parties to the appeal in accordance with law. Petition is disposed of.

Liberty is granted to the petitioner to move the respondent no. 4 for grant of interim relief in accordance with law.

JUDGE

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