

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.9905 of 2016

ORDER:

The prayer of the petitioner in this case is as under:

‘This Hon’ble Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ, order or direction declaring the inaction of the Respondents in not closing the belt shops established illegally in and around the village of the Petitioner and also running the same within the prohibited limits from Schools/temples without considering the representation dated 24-08-2015 and legal notice dated 30-10-2015 without following due process of law as illegal, arbitrary and violative of principles of natural justice etc and consequently direct the Respondents particularly 4th and 5th Respondents to ensure closure of all the belt shops and seize the illegal stocks therein as also to take appropriate criminal action against all the responsible persons immediately and grant such other just and consequential relief or reliefs as this Hon'ble Court may deem fit and proper in the circumstances of the case.’

As the petitioner’s representations dated 24.08.2015 and 30.10.2015 airing his grievance are still pending consideration before the excise authorities, this Court sees no reason to entertain this writ petition at this stage for adjudication on merits.

It is for the authorities concerned to consider the petitioner’s grievance and take appropriate action, if warranted, in accordance with law. In the course of such exercise, the excise authorities shall give due notice and opportunity of hearing to all parties who would be affected by any decision taken upon the representations made by the petitioner. This exercise shall be completed expeditiously and in any event, not later than four (4) weeks from the date of receipt of a copy of this order.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

Date:28.03.2016

GJ