

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

WRIT PETITION NO. 1260 OF 2017

Chetan Anilkumar Patel and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Girish Nagori, Advocate for the Petitioner.

Shri V. M. Kagane, A.G.P. for Respondent Nos. 1 to 3.

**CORAM : S. V. GANGAPURWALA AND
K. L. WADANE, JJ.**

DATE : 15TH FEBRUARY, 2017.

PER COURT :

. We have heard Mr. Nagori, the learned counsel for the petitioner and Mr. Kagane, the learned A. G. P. for respondents/State.

2. Mr. Kagane, the learned A. G. P. submits that, against the impugned order, the petitioner has a remedy by way of an appeal before the Commissioner Transport, Maharashtra State, Mumbai.

3. In view of that, we are not inclined to go into the merits of the matter. The petitioner may file the appeal before the appropriate authority. Considering the fact that, present writ

petition was pending, if the appeal is filed within fifteen days from today, the respondents shall not raise an issue of limitation. In case such an appeal is filed, the appellate authorities shall decide the said appeal expeditiously and preferably within a period of three (03) months from the date of receipt of the appeal. All contentions of respective parties are kept open. Needless to state in case the order of the appellate authority is not favourable to the petitioner, the petitioner has remedy to assail the same. The writ petition is disposed of. No costs.

[K. L. WADANE, J.]

[S. V. GANGAPURWALA, J.]