

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

16 WRIT PETITION NO. 10256 OF 2017

ROYAL CARRIER AND COURIER PVT LTD THROUGH ITS M D ISHWARLAL
LAXMANDAS SHARMA

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. P.F. Patni

AGP for Respondents:Mr. S.G. Karlekar

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CORAM : R. M. BORDE & S. M. GAVHANE, JJ.

Date: August 21, 2017

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PER COURT :-

1 The learned AGP for the State has invited our attention to the order passed by the Division Bench of this Court in CA No.9511/2017 in Writ Petition No.7014/2016 decided on 25.7.2017. He contends that since the demand has been raised by the Additional Transport Commissioner, the Appeal shall have to be preferred to the Transport Commissioner, in view of paragraph Nos.18 and 19 of the Judgment delivered by the Division Bench.

3 The learned counsel appearing for the petitioner, on instructions, seeks leave to withdraw the petition with liberty to avail of remedies available in law.

4 Leave granted with liberty as prayed for.

5 The appellate authority, while dealing with the Appeal and an application which may be required to be presented by the petitioner, seeking condonation of delay, in approaching the Appellate Authority, shall have due regard to the factum of time spent in prosecuting the remedy of writ petition.

6 The writ petition is disposed of.

(S. M. GAVHANE, J.)

(R. M. BORDE, J.)