

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

WRIT PETITION NO. 9696 OF 2010

NAGESH KISHANRAO AUNDHEKAR
VERSUS
THE STATE OF MAHARASHTRA.

...

Advocate for the Petitioner : Shri Chandak Raviraj R..
AGP for the Respondent : Shri B.A.Shinde.

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**CORAM: RAVINDRA V. GHUGE
AND
SUNIL K. KOTWAL, JJ.**

DATE :- 28th November, 2017

Per Court :

- 1 This petition is yet to be admitted.
- 2 The Petitioner has challenged the notice dated 15.07.2010
issued by the Collector, Parbhani.
- 3 The learned AGP submits that the District Collector has
exercised its power under Section 10-A of the Maharashtra Entertainment
Duty Act, 1923 and has passed the order dated 18.01.2013.
- 4 A copy of the order dated 18.01.2013 is placed before us,
which is taken on record and marked as "X" for identification.
- 5 It is, therefore, obvious that this petition has become
infructuous as the Petitioner has a statutory remedy to challenge the order
of the District Collector by filing an appeal before an appropriate

authority.

6 In the light of the above, this Writ Petition is disposed of as being rendered infructuous.

7 In the event, the Petitioner prefers an appeal for challenging the order of the District Collector dated 18.01.2013 within a period of TWO WEEKS from today, time spent by the Petitioner in this Court till the passing of this order today, shall be a good ground for condonation of delay.

kps

(SUNIL K. KOTWAL, J.)

(RAVINDRA V. GHUGE, J.)