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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION ST.NO.23756 OF 2017

Dilip Baburao Rajput ...Petitioner
vs.
The State of Maharashtra & Ors. ...Respondents

Mr.Vishal Patil i/b Rohit Deshpande for the
Petitioner
Mr.Manish Pabale, AGP for the respondent Nos.1 to 3.

CORAM : A.S.OKA, &
A.K.MENON, JJ.
DATE : NOVEMBER 15, 2017

P.C.:

. Not on board. Taken on board.

1 Heard the learned counsel for the petitioner and the learned AGP for the respondents. Prayer (b) is the substantive relief in this petition which reads thus:

"(b) This Hon'ble Court be pleased to issue writ mandamus and/or any other appropriate writ, order of direction in the like nature, thereby directing the respondent No.2 Commissioner of State Excise Maharashtra, Mumbai to decide the Appeal No.83 of 2013 filed by the petitioner as early as possible or within time limit."

2 Such relief cannot be granted for the simple reason that before the Commissioner of State Excise, there may be older appeals pending. If for any reason, the petitioner wants out of turn priority for hearing of his appeal, his remedy is to take out appropriate application before the Commissioner of State Excise with that prayers. If such application is made, the Commissioner of State Excise will decide the same at the earliest.

3 Subject to above direction, writ petition is disposed of.

(A.K.MENON,J.)

(A.S.OKA,J.)