

7THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.8302 of 2017

ORDER:

Heard Mr.Nazeer Khan, learned counsel for the petitioner and the learned Assistant Government Pleader for respondent Nos.1 to 5.

In spite of service of notice, none appears for 6th respondent.

The petitioner complains against inaction of 5th respondent in proceeding further and not disposing of case pending in File No.SB/AD/NR/MU/2016/122131 in spite of issuance of notice on 16.07.2016 as illegal and amounts to refusing to exercise the jurisdiction conferred on 5th respondent.

I have perused the writ affidavit and also the enclosures. The 5th respondent admittedly has issued notice, dated 16.07.2016, on the application filed by the petitioner. Therefore, normal expectation in such a situation is that the matter is brought to its logical end since notice to 6th respondent is not issued by the 5th respondent and there is inaction, I am satisfied the writ petition can be disposed of by this order.

The 5th respondent is directed to consider and dispose of the case pending in File No. SB/AD/NR/MU/2016/122131, in accordance with law, as expeditiously as possible, preferably within six months from the date of receipt of a copy of this order. While issuing the

above direction, it is made clear that this Court is not expressing any view on the merits of the matter and it is for the 5th respondent to examine and pass orders as indicated above.

Accordingly, the writ petition is disposed of.

Miscellaneous petitions, if any, pending, shall stand closed. No order as to costs.

2nd June 2017

mar

S. V. BHATT, J

