

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 11946 OF 2018
IN
WRIT PETITION NO. 6015 OF 2014

SANJAY YADGIR ELLITAM
VERSUS
VINOD VITTHALRAO SONAWANE AND OTHERS

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Advocate for the Applicant : Shri Anandsingh Bayas
Advocate for Respondent No.1 : Shri D. S. Bagul
AGP for Respondent Nos. 2 to 8 : Shri S. R. Yadav- Lonikar

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CORAM : RAVINDRA V. GHUGE, J.
DATED : 28th SEPTEMBER, 2018.

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PER COURT :

1. I have heard the learned Advocates for the respective sides.

2. I am not required to advert to the entire submissions of the learned Advocates for the reason that this Court (Coram : N.W. Sambre, J.), has passed an order on 20/09/2017 *in Writ Petition No. 6015/2014 and two other matters, Vinod Vithal Sonwane and others Vs. State of Maharashtra and others* and in view of the judgment of this Court in the matter of *Ravi s/o Nandlal Jaiswal Vs. The State of Maharashtra and others, W.P. No. 10775/2015, decided on 04/09/2017.*

3. As such, this Civil Application is disposed off. Respondent No.7, the Superintendent of State Excise Aurangabad shall consider the application of the applicant Sanjay Yadgir Ellitam, dated 26/03/2018 on its own merits and in the light of the directions of this Court in paragraph No. 9 of the order dated 20/09/2017 and by considering the guidelines set out in the judgment of this Court dated 11/08/2014, in the matter of *Shailaja Rajendra Badwaik and others Vs. Hon'ble Minister, Department of State Excise and others* and the judgment of the learned Division Bench in the matter of *Hotel Shobha Vs. Hon'ble Minister, Department of State Excise and others*, 2012(6) Mh.L.J. 708.

4. Needless to state, the said authority would issue notices to all such persons who need to be heard in view of the application of this Applicant, as well as these litigating sides in the Writ Petition, before passing any order on the said application.

5. It goes without saying that the concerned authority will

consider the law settled in the said judgments and would also consider the procedure and the rules applicable to the request made in the application of this Applicant.

(RAVINDRA V. GHUGE, J.)

shp/-