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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.7395 OF 2018

Pratap Hari Patil

PETITIONER

VERSUS

The State of Maharashtra and Others

RESPONDENTS

.....
Mr. Vijay B. Patil, Advocate for the petitioner
Mr. S. N. Morampalle, AGP for respondent - State
.....

[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 9th JULY, 2018

ORDER :

1. Heard learned advocate for the petitioner and learned AGP for the respondents.
2. Learned advocate for the petitioner apprehends that the whole period of excavation would be lost since hearing of appeal before the Commissioner is scheduled on 28th August, 2018. Learned advocate for the petitioner further submits that the petitioner has strong case on merits and the petitioner is not at all liable to pay penalty. Learned advocate further submits that it is not necessary to stay excavation. He submits that the petitioner is doubly getting affected as on the one hand, he is foisted to pay penalty and on the other, excavation has been

stopped.

3. In the circumstances, it appears to be expedient that the appellate authority - the Commissioner may either proceed with the appeal filed by the petitioner itself expeditiously and dispose of the same by 30th July, 2018 or if the same is not possible, pass order on interim relief application by said period.

4. With aforesaid observations, writ petition stands disposed of.

[SUNIL P. DESHMUKH, J.]

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