

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION (STAMP) NO.30649 OF 2018

Shri Raju Sanjay Ingavale.] ... Petitioner

Versus

The State of Maharashtra & Ors.] ... Respondents

Mr. D. B. Sawant i/b Mr. Santosh Patil for Petitioner.
Ms. Shruti Vyas. 'B' Panel Counsel for State - Respondents.

CORAM :- B. P. DHARMADHIKARI &
SARANG V. KOTWAL, JJ.
DATE :- DECEMBER 06, 2018

P. C. :-

1. Heard Mr. D. B. Sawant, learned Counsel for Petitioner and Ms. Shruti Vyas. learned 'B' Panel Counsel for State - Respondents.

2. Learned Counsel for Petitioner submits that after the Judgment of Hon'ble Apex Court in the case of **State of Tamil Nadu Vs. K. Balu**¹, the Hon'ble Supreme Court itself, on 23/02/2018, asked the State Government to frame a policy in consonance with its

¹ AIR 2017 SUPREME COURT 262

directions. The State Government, accordingly, has framed a policy which makes an exception about the distance in case of Gram Panchayat where population exceeds 5000. The learned Counsel states that as per that policy decision dated 31/03/2018, as population of Gram Panchayat Atigre, Talume Hatkanangale, exceeds 10,000, the Petitioner has made representation for restoration and renewal of his license on 05/05/2018 and repeated it on 11/09/2018. The State Government has not taken any cognizance thereof.

3. Ms. Vyas points out that the matter is listed today for the first time and she has no instructions on facts. She, however, adds that if the position disclosed is correct, the State Government may, in the interest of public revenue, take decision within a reasonable time.

4. Hence, without recording any finding on facts and presuming the narration by the Petitioner to be true, we direct the Respondent No.1 to look into the representations dated 05/05/2018 and 11/09/2018 (*supra*) within three months from today and take suitable decision upon it, if such decision is not already taken. If necessary, opportunity of hearing shall be extended to the Petitioner.

5. With these directions and keeping all rival contentions open, we dispose of the present petition.

(SARANG V. KOTWAL, J.)

(B. P. DHARMADHIKARI, J.)