

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
C.A.J.**

WRIT PETITION NO. 4095 OF 2018

Mr. Asaithambi Munickam and anr. ... Petitioners

Versus

The State of Maharashtra and anr. ... Respondents

**ALONG WITH
CIVIL APPLICATION (ST) NO. 11896 OF 2018
IN
WRIT PETITION NO. 4095 OF 2018.**

Mr. S.R. Nargolkar a/w Mr. A. Joshi for the petitioners.

Mr. Sandeep Babar, AGP for respondent State.

Mr. Pavan Patil a/w Mr. Drupad Patil for the applicant/s in Civil Application (St) No. 11896 of 2018.

**CORAM : SHANTANU KEMKAR &
M.S. KARNIK, JJ.**

DATE : APRIL 17, 2018

P.C.:

Parties through their counsel.

2. It is not in dispute that after filing of this petition, the petitioner has filed an appeal challenging the notice dated 3.4.2018 Exhibit "F" passed by respondent no. 2 and the appellate authority has now fixed the said appeal for hearing on 24.4.2018 at 11.00 am.

3. Keeping in view the fact that the petitioner has got alternate

and efficacious remedy, we decline interference on merits in the matter. However, looking to the fact that at the site in question, there are large number of labours being deployed by the petitioner and the delay in deciding the appeal would cause financial loss to the petitioner, we dispose of this petition by directing the appellate authority to decide the petitioner's appeal as expeditiously as possible but in any case not later than two weeks from 24.4.2018.

4. Learned counsel for the petitioner submits that the petitioner will appear before the appellate authority on 24.4.2018 at 11.00 am.

5. We also make it clear that it will be open for the petitioner/appellant to produce before the appellate authority, the documents about it's complying/rectified the deficiencies as has been pointed out in the show cause notice. The appellate authority is expected to consider the entire evidence as may be placed before it and decide the matter in accordance with law by a speaking order within the aforesaid time.

6. With the aforesaid directions, petition is disposed of. All the

contentions of the parties are kept open.

7. As a result, Civil Application also stands disposed of.

8. Parties to act on authenticated copy of this order.

(M.S. KARNIK, J.)

(SHANTANU KEMKAR, J.)