

IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.

43 WRIT PETITION NO.11274 OF 2018

M/S B M SONS LIMITED THROUGH PARTNER
DINESH BABULAL JAISWAL
VERSUS
THE DISTRICT COLLECTOR AURANGABD AND
ANR.

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Mr. Hemant Surve, Advocate for petitioner.
Mr. S.G.Karlekar, AGP for R – 1 & 2.

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**CORAM : S. V. GANGAPURWALA &
A. M. DHAVAL, JJ.**

DATE : 05/03/2019

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ORAL ORDER:

. Mr. Surve, learned counsel for petitioner submits that the petitioner has paid renewal licence fees for the renewal of CL-III licence in the name of the petitioner/partnership firm. The respondents ought to have granted renewal after having accepted the fees. The respondents are referring to the dispute filed by one Smt. Kalpana Suresh Jaiswal. The petitioner is impleaded as defendant No. 2 in the said litigation. The said lady is not prosecuting the suit. Smt. Kalpana Jaiswal is ousted from the partnership.

2. Mr. Karlekar, learned A.G.P. submits that under the orders of this Court, name of Smt. Kalpana Jaiswal was directed to be included. According to Mr. Surve, learned counsel for petitioner this Court never directed to include the name of Smt. Kalpana Jaiswal but directed to decide her representation. The learned A.G.P. submits that petitioner was intimated also but did not remain present for

hearing.

3. It appears that the application filed by the petitioner for renewal of CL-III licence in the name of partnership firm is not yet decided. We are not inclined to enter into the debate whether the letter of respondent for hearing was served upon the petitioner or not.

4. As the application is pending, we pass the following order.

ORDER

The petitioner shall appear before the authority on 12/03/2019. The authority may hear the petitioner and any other interested party and shall take the decision on the application of the petitioner expeditiously and preferably on or before 30/03/2019.

5. Writ petition accordingly disposed of. No costs. The parties may act upon the authenticated copy of this order.

[A.M.DHAVALI]
JUDGE

[S.V.GANGAPURWALA]
JUDGE

KNP.