

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

WRIT PETITION NO.3017 OF 2019

Akil Khan S/o Bashir Khan
Age : 45 years, Occu.: Business,
R/o. Plot No.6., Survey No.65,
Near Laxmi Narayhan Nagar,
Khadka Road, Bhusawal,
Dist. Jalna.

... Petitioner

VERSUS

1. The Union of India
Through Ministry of Railway
having its office at New Delhi
2. The Divisional Manager (Central Railway)
Commercial Branch, Bhusawal,
Dist. Jalgaon.
3. The Divisional Regional Manager
(Central Railway), Bhusawal,
Tq. Bhusawal, Dist. Jalgaon.
4. Superintendent (PREV)
CGST and Central Excise,
Jalgaon, Division, Jalgaon.

... Respondents

....

Mr. Viraj R. Chandak, Advocate for Petitioner;
Mr. M. N. Navandar, Standing Counsel for Respondent Nos.1 to 3.
Mr. D.S. Ladda, Advocate for Respondent No.4.

....

**CORAM : PRASANNA B. VARALE
AND
S.M. GAVHANE, JJ**

DATED : 04th MARCH, 2019

PER COURT:-

1. Heard the learned counsel appearing for the petitioner.
2. Considering the material placed on record, we are of the clear opinion that the petition is premature. The petitioner was served with a notice dated 08.01.2019. Perusal of this notice show that the parties have arrived at an agreement and this agreement was in relation to two wheeler parking at Bhusawal Station for the period from 29.03.2016 to 28.03.2019. Similarly, another notice was issued to the petitioner on the very date i.e. 08.01.2019, now this notice is in respect of parking at Bhusawal (North) Station for the period of 28.03.2017 to 27.03.2020. By this notices, the petitioner was directed to show cause why the parking contract allotted in favour of the petitioner be not terminated. On receiving the notices, the petitioner submitted his reply to the authority on 24.01.2019. The authority is yet to pass the order. It is the grievance of the petitioner that the authority may not consider the points raised by the petitioner, which are raised in this petition, now this only the apprehension of the petitioner, and as the petitioner had approached the authority by submitting his reply, the authorities, certainly consider the reply and grounds submitted in the reply. Furthermore, if an order is passed by the authority and the petitioner is aggrieved by the said order, the petitioner can certainly approach the competent

forum raising the grievance against that order, which would be passed by the authority including approach this Court, if the petitioner is so advised.

3. Considering this fact, we are of the opinion that the petition is premature. As such, we decline to entertain the petition at this stage. Accordingly, the petition is rejected.

3. Respondent No.6 – Presiding Officer, School Tribunal Latur is directed to pass appropriate orders on the application submitted to him on 28.09.2016 seeking execution of order passed by the Tribunal dated 18.03.2016, as expeditiously as possible, an not later than (6) weeks from the date of order of this Court, if the application is not already decided by the learned Presiding Officer till date.

4. With these directions, the petition is disposed of.

(S.M. GAVHANE)
JUDGE

(PRASANNA B. VARALE)
JUDGE

Sudhir Rane