

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3020 OF 2018

RAJENDRA DEVANAND JADHAV AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Shri Kasliwal Anil H.
AGP for Respondents 1 to 3 : Shri Bhagat N.T.
Advocate for Respondent 4 : Shri Natu Sharad V.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: April 01, 2019

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PER COURT:-

1. This matter was heard extensively on 27.3.2019, 28.3.2019, 29.3.2019 and again today. After considering the submissions of the learned counsel for the petitioners and respondent No.4, an attempt was made by the litigating sides, who are close relatives, to settle the issue. Since there was no consensus, learned Advocate for the petitioners submits, on instructions, from the petitioner present in the Court that RCS No.96 of 2008, pending between the parties, may be subjected to an expedited hearing.

2. Learned Advocate for respondent No.4 submits that her CL III license has already been restored and renewed and she has paid an amount of Rs. 5,24,00/- as statutory fees. She has spent about Rs.8,00,000/- for the marriage of her daughters. She would,

therefore, continue to utilize the CL III license, subject to further orders in the pending suit and the litigation connected thereto.

3. Learned Advocate for the petitioners has once again taken instructions from petitioner No.1 - Rajendra, who is present in the Court, that a consenting order may be passed expediting the suit and keeping all contentions of the litigating sides open for the trial Court to consider and the impugned order passed by the Honourable Minister should be subject to the result of the pending litigation. Learned counsel for respondent No.4 is consenting.

4. In view of the above, this petition is disposed off with the following directions:-

(A) The trial Court shall decide RCS No.96 of 2008 as expeditiously as possible and preferably on/or before 31.3.2020.

(B) Since the suit is 11 years old, the trial Court would ensure that adjournments for frivolous reasons would not be granted.

(C) Respondent No.4 would operate her shop on the basis of the CL III license issued pursuant to the impugned order dated 22.2.2018 and the same would be subject to the result of the pending litigation.

(D) All contentions of the litigating sides are kept open before the trial Court.

(E) Since these litigating sides are close relatives, it would be open to them to seek mediation in the said matter, so as to search for an amicable settlement.

(RAVINDRA V. GHUGE, J.)

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