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

WRIT PETITION NO. 4084 OF 2019

M/s Thapar's Inn Ahmednagar,
A Registered Partnership Firm
Through its partners,

1. Kevalkumar s/o Savalmal Thapar,
Age-69 yrs., Occu.Business,
2. Gautam s/o Kevalkumar Thapar,
Age-45 yrs., Occu.Business,
3. Hemant s/o Kevalkumar Thapar,
Age-44 yrs., Occu.Business,
4. Rohit S/o Kevalkumar Thapar,
Age-41 yrs., Occu.Business,

All above R/o Thapar Inn,
Tarkapur Road, Ahmednagar,
Dist. Ahmednagar

..PETITIONERS

VERSUS

1. The Commissioner for Prohibition
and Excise, Maharashtra State,
Mumbai.
2. The District Collector
Prohibition State Excise Cell,
Ahmednagar, At Ahmednagar.

..RESPONDENTS

Mr A. M. Gholap, Advocate for petitioners;
Mrs A. V. Gondhalekar, A.G.P. for respondents

**CORAM : PRASANNA B. VARALE
AND
NITIN W. SAMBRE, JJ.**

DATE : 27th March, 2019

ORAL ORDER:

Petition not on board. Taken on board.

2. A very limited grievance is raised in the petition.

3. It is submitted before us by the learned Counsel appearing for the petitioners that by availing the appropriate remedy in the form of appeal, the petitioners have approached the authority. The authority heard the appeal finally on 7th March, 2019 and it was kept reserved for judgment, till date of filing of the petition as there was no decision informed to the petitioner, the petitioner was left with no choice but to approach this Court, filed this petition with the substantive prayer i.e. prayer clause (B), which reads thus:

"[B] By issue of appropriate writ, order or direction in the nature of writ of mandamus, the respondent no.1 may kindly be directed to decide the Appeal No.37/19, pending on its file immediately and preferably before 31/03/2019."

4. As this was limited grievance, this Court thought it fit to seek response from the respondent authority i.e. respondent No.1. Accordingly the learned A.G.P. was requested to seek the instructions and to make a statement before this Court. The learned A.G.P., on receiving the instructions, submitted before this Court that respondent No.1 authority would pass appropriate orders within one week from today. The statement of the learned A.G.P. takes care of grievance of the petitioners and this

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statement, in our opinion is an address as well as redressal of the grievance of the petitioners.

5. Considering the statement of the learned A.G.P., nothing remains in the petition. The statement made by the learned A.G.P. is accepted. By accepting the statement, the petition is disposed of accordingly.

(NITIN W. SAMBRE, J.)

(PRASANNA B. VARALE, J.)

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