

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

41 WRIT PETITION NO.6233 OF 2019

**GANGASAGAR GANESH MUNDKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

**Advocate for Petitioner : Kasliwal Anil H.
GP for Respondents: A.B.Girase**

...

42 WRIT PETITION NO.6234 OF 2019

**MOHANLAL SHIVAMBARLAL JAISWAL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

**Advocate for Petitioner : Kasliwal Anil H.
GP for Respondents: A.B.Girase**

...

43 WRIT PETITION NO.6235 OF 2019

**RAMESH VYANKATRAO MUNDKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

**Advocate for Petitioner : Kasliwal Anil H.
GP for Respondents: A.B.Girase**

...

44 WRIT PETITION NO.6236 OF 2019

**NITU PRAMOD JAISWAL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioner : Kasliwal Anil H.

GP for Respondents: A.B.Girase

**CORAM : S.V.GANGAPURWALA &
MANGESH S. PATIL, JJ.**

DATE : 10/06/2019

PER COURT :

The learned counsel for the petitioners submits that Clause 4 of the notification dated 04.03.2015 is wrongly interpreted by the respondents. The petitioners have been granted CL-III licence prior to the notification dated 04.03.2015 i.e. prior to the enactment of Maharashtra Panchayat Extensions to Scheduled Area (Prohibition and Regulation of Licensing) Rules, 2015. The said rules were subject matter of the interpretation before the Division Bench of this Court at Nagpur in Writ Petition No.3390 of 2015 with connected writ petitions. The Division Bench of this court at Nagpur under the Judgment dated November 23, 2016 allowed the writ petitions and directed to consider the application of the renewal of the licence of the petitioners therein without insisting upon the resolution of the Gram Sabha.

2. Mr. Girase the learned G.P. for Respondent No.1 on going through judgment dated November 23, 2016 in Writ Petition No.3390 of 2015 with connected writ petitions decided at Nagpur Bench accedes that the petitioners are covered under the said judgment.

3. For the reasons recorded in the judgment dated November 23, 2016 in Writ Petition No.3390 of 2015 with connected writ petitions

(supra), we direct the respondents to consider the applications of the petitioners for renewal of his licence without insisting upon the resolution of the Gram Sabha No Objection as required under Rule 4 of the Rules of 2015.

4. Writ petitions are accordingly allowed. No costs.

(MANGESH S. PATIL,J.)

(S.V.GANGAPURWALA,J.)

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