

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.9021 OF 2019

JAGDISH SAMBHU CHAUDHARI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr.P.S.Shendurnikar, Advocate for the petitioner.
Mr.N.T.Bhagat, AGP for respondent Nos. 1 to 4.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 25/07/2019

PER COURT :

1. I have heard the learned Advocate for the petitioner and the learned AGP on behalf of the respondents/authorities.

2. It is informed that the Hon'ble Minister for State Excise reserved Proceeding No.FLR-1316/RA-50/RUS-2 for delivering his order on 28/11/2017. The impugned order is delivered on 09/10/2018.

3. The issue of keeping matters reserved or closed for judgment and delivering judgment/order belatedly, has been considered by the Hon'ble Apex Court and the learned Division Bench and Single Judge

Bench of this Court in the following matters :-

- [a] *Bhagwandas Fatechand Daswani and others Vs. HPA International and others* [(2000) 2 SCC 13],
- [b] *Anil Rai Vs. State of Bihar* [(2001) 7 SCC 318],
- [c] *Devang Rasiklal Vora Vs. Union of India and others* [2004(2) Mh.L.J. 208],
- [d] *Unique Coordinators Vs. Union of India and others* [2004(2) Mh.L.J.532],
- [e] *Pradeep K.R.Sangodker Vs. State of Maharashtra and another* [2007 (supp.) Bom.C.R.544].

4. Considering the above, the impugned order dated 09/10/2018 is quashed and set aside and the said proceedings are restored to the Office of the Hon'ble Minister for State Excise. The petitioner shall appear before the Hon'ble Minister on 09/08/2019 in his chambers at Mantralaya at 12.00 noon. The Hon'ble Minister would hear the petitioner either in person or through his Advocate and shall deliver his order on 06/09/2019. The petitioner is at liberty to enter written notes of submissions, besides oral submissions.

5. Needless to state, the date 06/09/2019 for pronouncing the order shall be announced by the Hon'ble Minister and the petitioner would be obliged to remain present on the said date for noting the pronouncement of the order. Copy of the order shall be kept ready

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by the Office of the Hon'ble Minister to be delivered to the petitioner.

(Ravindra V.Ghuge, J.)