

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR.

Writ Petition No.2579 of 2016

(M/s M.B. Popat, Malkapur, Dist. Buldana .vs. The State of Maharashtra and
 ors.)

with

Writ Petition No.2580 of 2016

(M/s M.C. Mundhada, Buldhana .vs. The State of Maharashtra and ors.)

with

Writ Petition No.2581 of 2016

(M/s Kewalram Rameshwar, Shegaon .vs. The State of Maharashtra & ors.)

with

Writ Petition No.2582 of 2016

(M/s Sadguru Highway Service, Chikhali .vs. The State of Maharashtra and

ors.)

with

Writ Petition No.2583 of 2016

(M/s A.H.H.H. Gani, Nandura .vs. The State of Maharashtra and ors.)

with

Writ Petition No.2584 of 2016

(M/s M.C. Mundhada, Malkapur .vs. The State of Maharashtra and ors.)

with

Writ Petition No.2585 of 2016

(M/s H.M. Lehri, Malkapur, Dist. Buldana .vs. The State of Maharashtra and

ors.)

with

Writ Petition No.2586 of 2016

(Mundhada & Sons, Nandura, Dist. Buldhana .vs. The State of Maharashtra
 and ors.)

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders or directions
 and Registrar's orders

Court's or Judge's orders.

Mr. Tejas Deshpande, Advocate for Petitioners in all writ petitions
 Mr. A.R. Chutke, AGP for Respondent Nos. 1 to 4 in all writ petitions.

CORAM : Manish Pitale, J.
DATED : January 28, 2019.

Mr. Tejas Deshpande, learned counsel
 appearing for the petitioners in these bunch of writ
 petitions, submits that the controversy in the present
 writ petitions is covered by orders passed by this Court

i.e. order dated 07.12.2016 in Writ Petition No. 6491 of 2014 and connected writ petitions as also order dated 16.02.2017 in Writ Petition No. 6010 of 2015. The said submission made on behalf of the petitioners is not disputed by Mr. A.R. Chutke, learned AGP appearing for the respondents -authorities. By the said orders passed by this Court, it has been found that the respondent no.3 Deputy Commissioner (Supply) had no power to pass the impugned orders imposing penalty on the petitioners. On this basis, in the said writ petitions, not only were the orders passed by the respondent no.3 Deputy Commissioner (Supply) set aside but the orders passed by the Minister in revisions were also set aside.

2. Since the controversy in the present writ petitions is entirely covered by the said orders passed by this Court, relying upon the said orders, the present writ petitions are allowed. Accordingly, the impugned orders passed by the respondent no.3 Deputy Commissioner (Supply), Amravati Division, Amavati dated 20.09.2014 and the orders dated 03.02.2016 passed by the Minister, are quashed and set aside and the writ petitions are allowed in aforesaid terms.

JUDGE

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