

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

952 WRIT PETITION NO.4613 OF 2019

UTTAM BHIVAJI MORE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Chapalgaonkar S.G.
AGP for Respondents-State : Mr. K.B.Jadhavar.
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CORAM : V. K. JADHAV, J.
DATE : 26.02.2020

PER COURT :-

1. The learned AGP has placed on record the communication dated 25.02.2020, received from Civil Surgeon, Nanded. The same is marked 'X' for identification. It has been communicated by the Civil Surgeon / Appropriate Authority that, "as any Case against the petitioner is not pending for violation of PCPNDT Act. Hence, this Office can give fresh hearing for the renewal of Sonography Center of the petitioner".

2. The learned AGP in terms of the said communication submits that the fresh hearing would be given for the renewal of the Sonography Center of the petitioner and the Appropriate Authority would pass the necessary orders, afresh.

3. In view of the above, I proceed to pass the following order :

ORDER

- (i) Writ Petition is hereby allowed.
- (ii) The impugned order dated 15.03.2019 passed by the State Appropriate Authority in Appeal No.138 of 2019 and the order dated 17/12/2018 passed by the Civil Surgeon, Nanded in this Writ Petition are quashed and set aside.
- (iii) The petitioner to submit the fresh application before the Appropriate Authority and the Appropriate Authority shall decide the said application afresh.
- (iv) Since the impugned orders are quashed and set aside the renewal fees, if any, deposited by the petitioner with his earlier proposal, the same may be considered in the fresh proposal.
- (iv) Writ Petition is accordingly disposed off.

(V. K. JADHAV, J.)

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vmk/-