

VPH

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 70 OF 2020

Capt. Rajeev Kumar & Ors. ... Petitioners
Vs.
The State of Maharashtra, through
Secretary Co-operation Department & Ors. ... Respondents

Mr. Monil Punjabi a/w P. A. Pol & Ranjit S. Hatkar i/b Pol Legal Juris,
for the Petitioner.

Mr. Nishant Tripathi i/b M/s. M. Tripathi & Co., for Respondent Nos. 2
to 7.

CORAM : C. V. BHADANG, J.

DATE : JANUARY 8, 2020

PC :

1. Heard learned counsel for the parties for some time. Learned counsel for the Petitioner submits that the present petition was filed as the appellate authority was not available for hearing the appeal. It is submitted now that the appellate authority is there in place. Learned counsel for the Petitioner points out that the appeal alongwith an application for stay is pending before the appellate authority.

2. The only relief sought in the petition is grant of interim relief for a limited period in order to enable the Petitioner to press for appeal and interim application filed before the appellate authority, which is opposed on behalf of the Respondents. Learned counsel for the

Respondents has pointed out an order dated 9th August, 2019 passed by this Court in Writ Petition No. 8471 of 2019. It is pointed out that the order, which was subject matter of the said petition was appointment of an administrator. Even in that case, the State Government was directed to decide the appeal within two weeks and the interim relief was refused.

3. I have considered the rival submissions of the parties. The petition is disposed of with a direction to the State Government to decide the appeal alongwith the application for interim relief, as expeditiously as possible. An endeavour shall be made to decide the application for interim relief within three weeks from the date of receipt of copy of this order. Inasmuch as an application for interim relief is pending before the appellate authority, the prayer for grant of interim relief is refused. The parties are directed to appear before the appellate authority on 10th January, 2020 at 3.00 p.m.

4. The writ petition is disposed of in the aforesaid terms.

Sd/-
C. V. BHADANG, J.

Vinayak Halemath

Vinayak
P.
Halemath

Digitally signed
by Vinayak P.
Halemath
Date: 2020.01.09
10:40:27 +0530