

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

Writ Petition No. 2441 of 2020

Tarachand Tularam Mate Vs. State of Maharashtra Through the Minister /
Secretary, Deptt. Of Food, Civil Supply and Consumer Protection & Ors.

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

Court's or Judge's orders

Mr. R.K. Taiwade, Advocate for the petitioner
Mr. A.M. Kadukar, AGP for respondents No.1 to 3.

CORAM : MANISH PITALE, J.

DATED : OCTOBER 06, 2020

Hearing was conducted through video conferencing and the learned counsel agreed that the audio and visual quality was proper.

2. Heard learned counsel for the petitioner.

3. Perusal of the prayer clause shows that even the date of the impugned order is not mentioned therein. This is perhaps because the order referable to the prayer clause is an order dated 04/07/2019, being an ad-interim order of stay passed by respondent No.1, which was already challenged by the petitioner by filing Writ Petition No. 4864 of 2019, before this Court. It is strange that the present writ petition is filed with regard to the same order and without even mentioning the date of the impugned order.

4. Be that as it may, the record shows that Writ Petition No. 4864 of 2019, was dismissed by this Court on 17/07/2019, while observing that the petition challenged ad-interim order of stay passed by respondent No.1 and that it would be open for the petitioner to approach the respondent No.1 for getting the interim order vacated.

5. It is pointed out by the learned counsel for the petitioner that after the said order was passed by this Court, an application for intervention was filed by the petitioner before respondent No.1 because he was not even made a party before respondent No.1, wherein the ad-interim stay order had been passed against him. It is further submitted that although hearing was conducted by respondent No.1 on the said application, nothing further has happened thereafter. It is in these circumstances that the petitioner has approached this Court.

6. It would have been proper for the petitioner to have filed an application in the disposed of Writ Petition No. 4864 of 2019, to place his grievance before this Court, instead of filing the present writ petition.

7. In view of above, the present writ petition is dismissed. At the same time, the respondent No.1 is directed to take up the proceedings pending before him, including the intervention application filed by the petitioner, at the earliest and to dispose of the revision proceedings instituted by respondent No.4 herein, as

expeditiously as possible and in any case within a period of three months from today.

JUDGE

MP Deshpande