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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4307 OF 2021

Gandhi Marotrao Pathrabe] Petitioner.

Vs.

The Commissioner of State Excise]
& Anr.] Respondents.

...

Advocate Mr. Irshad M. Malik for petitioner.

Mr. V. S. Gokhale, 'B' Panel, AGP for State.

...

CORAM : K.K. TATED &
PRITHVIRAJ K. CHAVAN, JJ.

DATE : 1st SEPTEMBER, 2021.

P.C.

1. Rule. Rule made returnable forthwith.

2. Heard learned Counsel for parties. Learned Advocate appearing on behalf of the petitioner submits that by this petition, they are seeking direction against respondent to decide their Appeal no.264/2018 filed on 5.11.2018 u/s 137 (2) of Bombay Prohibition Act 1949 r/w The Country Liquor Rules,1973 and The Prohibition (Appeal) Rules 1953 as early as possible.

3. This Court by order dated 30.8.2021 directed learned Counsel Mr. Gokhale for respondent to take instructions from concerned Officer within how much time they will decide the matter. Today, he submits that he received instructions that they will decide the matter within 4 months on its own merits. Hence, following order is passed.

ORDER

a) Respondent, the concerned authority to decide Appeal no.264/2018 filed by the petitioner on 5.11.2021 u/s 137 (2) of Bombay Prohibition Act 1949 r/w The Country Liquor Rules, 1973 and The Prohibition (Appeal) Rules 1953, on its own merits, as early as possible, but in any case, on or before 31.12.2021 and informed the order in writing to the petitioner.

b) Writ petition stands disposed of accordingly.

[PRITHVIRAJ K. CHAVAN, J.]

[K. K. TATED, J.]