

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.11008 OF 2022
IN WP/5245/2022

M/S SHAH MEDICAL AND GENERAL STORES THROUGH ITS
PROPRIETOR ARIF UR REHMAN SHAH
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

Mr.S.S.Patunkar, Advocate for the petitioner/applicant.
Mr.A.R.Kale, AGP for respondent Nos. 1 to 3.

(CORAM : RAVINDRA V. GHUGE AND
ARUN R. PEDNEKER, JJ.)

DATE : JULY 26, 2022

PER COURT :

1. When we disposed off WP No.5245/2022, we had issued the following directions below paragraph No.6 :-

"a. *The petitioner shall appear before the Hon'ble Minister for State (Food and Drugs Administration), on 01.07.2022 at 1.00 p.m.*

b. The petitioner is at liberty to file written submissions and shall not seek an adjournment.

c. The Hon'ble Minister would conclude the hearing on or before 08.07.2022, and thereafter, pass a reasoned order on 22.07.2022.

d. Copy of the said order shall be served upon the petitioner."

2. The learned Advocate for the applicant/petitioner submits that as the Council of Ministers is yet to be constituted, the application and a copy of the order sent by Speed Post AD in the name of "Rajyamantri", has been returned unclaimed.

3. The learned AGP submits that the Council of Ministers is yet to be constituted and the petitioner will have to appear before the Minister for State after the portfolio is allocated.

4. In view of the above, we find that this civil application needs to be entertained. We have, therefore, considered the prayers put forth by the applicant/petitioner. The civil application is partly allowed with the following directions by which we are issuing a fresh calendar for the proceedings to be heard and decided, as under :-

[a] The petitioner shall appear before the Hon'ble Minister for State (Food and Drugs Administration), on 29.08.2022 at 1.00 p.m.

[b] The petitioner is at liberty to file written submissions and shall not seek an adjournment.

[c] The Hon'ble Minister would conclude the hearing on or before 30.08.2022, and thereafter, pass a reasoned order on 15.09.2022.

[d] Copy of the said order shall be served upon the petitioner, expeditiously.

[e] The ad interim protection granted by this Court would continue till 15.09.2022.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)