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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

VASANT  
ANANDRAO  
IDHOL

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VASANT  
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WRIT PETITION NO.3920 OF 2022  
WITH  
WRIT PETITION (STAMP) NO.10113 OF 2022

Krishnae Infrastructure Pvt.. Ltd. ..Petitioner  
V/s.  
State of Maharashtra & Ors. ...Respondents

Mr.Y.S. Jahagirdar, Senior Counsel with Mr.S.M. Sabrad and  
Mr.Amey Sawant for the Petitioner.

Mrs.M.S. Bane, AGP for the State - Respondent.

**CORAM : S.V. GANGAPURWALA &**  
**M.G. SEWLIKAR, JJ.**  
**DATE : 4TH MAY, 2022.**

**P.C. :-**

1. Heard learned AGP. One of the contentions of the petitioner is that before passing the final order, no show cause notice was issued to the petitioner and the plant of the petitioner was sealed.
2. Learned AGP submits on instructions that the show cause notice was never issued to the petitioner.
3. In the light of above, we pass the following order :-
  - a). The impugned order imposing penalty upon the petitioner shall be construed as show cause notice to the petitioner. The

petitioner shall file reply to the same within 15 days from today. Upon receipt of the reply, the respondent authority shall take decision afresh with regard to penalty of the petitioner.

b).           The order sealing the Ready-Mix Concrete Plant of the petitioner is also set aside. After the final order is passed against the petitioner, the respondent authority may take further steps in accordance with law.

c).           The appeal filed by the petitioner does not survive.

d).           The writ petition is disposed of. No costs.

**(M.G. SEWLIKAR, J.)**

**(S.V. GANGAPURWALA, J.)**