

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****WRIT PETITION NO. 9765 OF 2021****KANCHAN
VINOD
MAYEKAR**Digitally signed by
KANCHAN VINOD
MAYEKAR
Date: 2022.01.04
17:04:31 +0530**M/s. Hotel Sai Siddhi Private Ltd.****..... Petitioner****VERSUS****The State of Maharashtra & Ors.****..... Respondents**

Ms. Jai Kanade, a/w. Ms.Shivani Bhate, i/b. M/s.Sonal Doshi & CO.
for the Petitioner.

Mrs.Neha Bhide, 'B' Panel Counsel for the State – Respondent nos. 1
to 4.

CORAM: R. D. DHANUKA AND**S.M.MODAK, JJ.****DATE : 3rd JANUARY, 2022****P.C:-**

Rule. Learned A.G.P. waives service for the respondents. By
consent of parties, writ petition is heard finally.

2. By this petition filed under Article 226 of the Constitution of
India, the petitioner has impugned the recovery demand notice dated 1st
November, 2021 issued by the respondent no.4 and for other reliefs.

3. Ms.Kanade, learned counsel for the petitioner submits that the
petitioner has already filed review for the recall of the order dated 1st
June, 2014 referred in the communication dated 30th March, 2015

annexed at page 150 of the writ petition before the learned Minister.

She submits that the said review is still pending. The respondents however have issued recovery notice in the meanwhile against the petitioner on 1st November, 2021 annexed at Ex.A to the writ petition.

4. In our view, it would be appropriate if we direct the learned Minister to decide the said review application filed by the petitioner against the order dated 1st June, 2014 expeditiously. We accordingly direct the learned Minister to decide the said review application on or before 31st January, 2022. No coercive steps shall be taken against the petitioner for implementation of the recovery demand notice dated 1st November, 2021 for a period of two weeks from the date of communication of the order that would be passed by the learned Minister in the said review application. The order that would be passed by the learned Minister would be communicated to the petitioner within one week from the date of passing of such order.

5. It is made clear that this Court has not expressed any views on the merits of the said Review Application. All contentions of both the parties are kept open. Writ petition is allowed in the aforesaid terms.

Rule is made absolute. No order as to costs.

6. The petitioner is directed to appear before the learned Minister on 10th January, 2022 at 11.00 a.m. If the date assigned by this Court is not convenient to the learned Minister, a convenient date to be communicated to the petitioner 48 hours in advance before the date of hearing.

7. Learned A.G.P. agrees to convey this order to the respondents during the course of the day.

8. The parties to act on the authenticated copy of this order.

[S.M.MODAK, J.]

[R.D.DHANUKA, J.]