

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH : NAGPUR

WRIT PETITION NO.1334 OF 2022

Raju Bhaskarao Mohitkar ... Petitioner

- Versus -

The State of Maharashtra and
others ... Respondents

Shri S.S. Jagtap, Advocate for Petitioner.

Shri N.R. Rode, Assistant Government Pleader for Respondents.

CORAM : NITIN JAMDAR AND
ANIL L. PANSARE, JJ.

DATE : 8 MARCH 2022

P.C. :

The Petitioner is seeking a direction to the Respondent Collector to comply with the order passed by the Commissioner, State Excise, dated 9 September 2021. This order was passed on an appeal filed under Section 137(2) of the Maharashtra Prohibition Act, 1949.

2) If the Commissioner as an appellate Authority under the Act has passed an order and it is not being complied with, it is the duty of the Commissioner to ensure that his own orders are complied with. The litigants ought not to be driven to this Court for mere execution of the executive orders. This gives rise to needless litigation.

3) We direct that if the Petitioner approaches the Commissioner making this grievance, the Commissioner should look into the same and take necessary action to enforce the order passed by him at the earliest.

4) Placing our disapproval on record, we dispose of this petition.

(ANIL L. PANSARE, J.)

(NITIN JAMDAR, J.)

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