

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.1523 OF 2023

Bandu Deorao Asapwar, Sai Nagar, Chandrapur

-VS-

The State of Maharashtra, State Excise, Mantralaya, Mumbai and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri S. G. Jagtap, Advocate with Shri S. S. Godbole, Advocate with Shri Sayajee Jagtap, Advocate for petitioner.

Shri A. A. Madiwale, Assistant Government Pleader for respondent Nos.1 to 3.

Shri A. R. Wagh, Advocate for respondent No.5.

CORAM : A. S. CHANDURKAR AND M. W. CHANDWANI JJ.

DATE : April 24, 2023

1. On the motion made by the learned counsel for the petitioner, name of respondent No.4 is permitted to be deleted from the array of parties. Deletion be carried out forthwith.
2. The petitioner is aggrieved by the enquiry report dated 14/03/2022 that came to be issued by the Sub Inspector, State Excise Department, Chandrapur on the basis of which no-objection was granted for shifting of CL-III license at the behest of respondent No.5. A complaint in that regard dated 02/02/2023 has been made to the respondent Nos.2 and 3 and the petitioner seeks expeditious consideration of the same.
3. The learned Assistant Government Pleader for respondent Nos.1 to 3 and the learned counsel for respondent No.5 seek time to file affidavit in reply. We however find that since the complaint dated 02/02/2023 is pending with the respondent Nos.2 and 3, said Authority can be directed to consider the said complaint in accordance with law and after giving due opportunity to the

petitioner as well as respondent No.5 to take a decision thereon.

4. Hence, the respondent Nos.2 and 3 are directed to take a decision on the complaint dated 02/02/2023 in accordance with law within a period of six weeks of receiving copy of this order. Needless to state that respondent No.5 is free to file response to the aforesaid complaint before the respondent Nos.2 and 3. It is open for the petitioner to file additional representation to the complaint insofar as enquiry report of respondent No.4 is concerned.
5. Keeping all points raised open, the writ petition is disposed of. No costs.

(M. W. Chandwani, J.)

(A. S. Chandurkar, J.)

Asmita