



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

17 WRIT PETITION NO. 9299 OF 2024

SANJAY KISANRAO KHOPADE

VERSUS

THE STATE OF MAHARASHTRA THROUGH STATE EXCISE DEPARTMENT
AND OTHERS

Mr.Anil H. Kasliwal, Advocate for the petitioner.
Mr.P.D. Patil, AGP for the respondent-State.
Mr.A.M. Gholap, Advocate for respondent No.5.
Mr.S.P. Tiwari h/f. Mr. A.K. Tiwari, Advocate for R-6 to 8.

CORAM : KISHORE C. SANT, J.

DATE : 10.09.2024

PC :-

01. Heard learned Advocates for the parties. The writ petition challenges order passed by the Minister in Appeal No. MLR 1224/R.A.16/StateExcise-2 dated 16.07.2024, by which the learned Minister had granted stay till further date of hearing. The further date of hearing is not stated in the said order. The main ground raised in the petition is that the learned Minister has no jurisdiction to decide the said case, as there is statutory appeal provided under the law. Now the learned Advocate for the respondent No.5 informs that he has already presented an appeal before the Commissioner and next date is 28.09.2024 at 12=00 noon.

02. Considering above, nothing survives in the writ petition.

The parties to pray for interim relief in the appeal. It is informed that already application for interim relief is filed.

03. Let there be status-quo as on today till the application for interim relief is decided by the learned Commissioner.

04. The writ petition stands disposed off.

[KISHORE C. SANT, J.]