



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4362 OF 2023.

Abhijit Bhimrao Pawar

...Petitioner.

Versus

The State of Maharashtra and Ors.

...Respondents.

*Smt. Veena Thadhani a/w. Ms. Bharti Nyaynirgune and Ms. Rutuja Gaikwad i/b Mr. Anil Nagwani for the Petitioner.
Mr. B. B. Dahiphale, AGP for the Respondent-State.*

Coram : Sharmila U. Deshmukh, J.

Date : 28th August, 2024.

P. C. :

1. Learned AGP on instructions submits that the order dated 10th January 2022 was passed during Covid-19 period and hearing was taken through Video Conferencing.
2. Learned counsel for the petitioner submits that as the hearing was through video conferencing documents required for deciding revision could not be tendered physically. She requests for remand so that the relevant documents can be submitted for consideration of the Authority.
3. It is not disputed that as the hearing had taken place during Covid-19 pandemic through video-conferencing the relevant

documents could not be tendered for consideration. It is necessary that fair opportunity be given to the Petitioner to place all necessary documents before decision is taken by concerned Authority.

4. In light of the above, impugned order dated 10th January 2022 passed in the Revision Application by the Principal Secretary, State Excise is hereby quashed and set aside. Matter is remanded to the file of the Hon'ble Minister for State Excise to be considered afresh after giving an opportunity of hearing to all the parties. Considering that the matter is remanded, Hon'ble Minister is requested to decide the same expeditiously.

5. Petition is disposed of. In view of disposal of petition, Interim/Civil Applications, if any, do not survive for consideration and stand disposed of.

[Sharmila U. Deshmukh, J.]