

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.1973 OF 2024

Bhojraj T. Shetty
Versus
The Deputy Superintendent (Market), Market
Division, Office of the Assistant Commissioner ...Respondents
(Market), Mumbai & Anr.

Ms. Bharti Nyaynirgune and Mrs. Veena Thadani, i/b. Mr. Vishal
Thadani, Advocates, for the Petitioner.
Ms. Shweta Patankar, Advocate, for the Respondent-BMC.

CORAM: MADHAV J. JAMDAR, J.
DATED : 24th SEPTEMBER 2024

P. C.:

1. Ms. Patankar, learned Counsel appearing for the Respondent-BMC has submitted a praecipe dated 23rd September 2024. She states that although the impugned order dated 18th September 2023 has been passed by the Deputy Superintendent and the same has been quashed and set aside by this Court by order dated 26th August 2024 and the matter is remanded, however, the Competent Authority is the Assistant Commissioner (Market). She therefore, states that order dated 26th August 2024 be suitably modified.

2. Accordingly, it is clarified that after remand, the matter will be decided by the Assistant Commissioner (Market).

3. The Petitioner to appear before the Assistant Commissioner (Market) on 7th October 2024. On that date, the Assistant Commissioner (Market) to fix the schedule of hearing.

4. The Petitioner is at liberty to file additional say/compilation of documents before the Assistant Commissioner (Market) on or before 22nd October 2024.

5. The Assistant Commissioner (Market) to pass order on or before 31st January 2025 by considering all the documents and by giving opportunity of hearing to the Petitioner.

6. Accordingly the praecipe dated 23rd September 2024 is disposed of by modifying order dated 26th August 2024 in above terms.

[MADHAV J. JAMDAR, J.]

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