



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

WRIT PETITION NO. 2038 OF 2024

(Sukhdeo Ramjivan Rathod vs. The State of Maharashtra and others)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Mr.Sayajee Jagtap, Advocate for the petitioner.
Mr.S.M.Ukey, Additional Government Pleader for respondent Nos.1
to 4.

CORAM : NITIN W. SAMBRE AND ABHAY J. MANTRI, JJ.

DATE : MAY 07, 2024

Admittedly, petitioner on his own never applied for renewal of the licence and he has tried to take advantage of the application moved by his mother, who is no more.

2) The mother of the petitioner has never canvassed about not deciding the application within reasonable period, however, the petitioner/legal heir is trying to take advantage of the same. Such ground in our opinion cannot be said to be available to the petitioner that too after the expiry of the reasonable period.

3) The law laid down in the judgment of this Court in the case of **Smt.Sushilabai Mohansingh Thakur vs. The State of Maharashtra and others [Writ Petition No.477 of 2020 decided on 10/11/2023]** can not be applied to the facts of the present case, as in the said judgment when it was the contention of the counsel for the petitioner that in case the delay is because of the act of the petitioner, the interest can be levied.

4) In the present case, the delay *prima facie* appears to be at the behest of the petitioner, as the petitioner at no point

of time on his own applied for renewal of the licence within reasonable period.

5) That being so, there is no substance in the petition, as such the present writ petition is dismissed. No order as to costs.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)