



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

Writ Petition No. 6471 of 2018

Petitioner : Ashok son of Jainarayan Jaiswal, aged about
67 years, Occ: nil, resident of Behind P. K.
Pawar Hospital, Ambadevi Road, Darwaha, Tahsil
Darwaha, District Yavatmal
versus

Respondents : 1) State of Maharashtra, through its
Secretary, State Excise Department, Mantralaya,
Mumbai-32
2) The Collector, State Excise Department, Division
Yavatmal, District Yavatmal
3) The Superintendent, State Excise Department,
Yavatmal, Tahsil and Dist. Yavatmal

Shri V. N. Patre, Advocate for petitioner

Ms Ketki Joshi, AGP for respondents

**Coram : Sunil B. Shukre &
S. M. Modak, JJ**

Dated : 29th July 2019

Oral Judgment (Per Sunil B. Shukre, J)

1. Rule. Heard forthwith by consent of parties.
2. Petitioner is holder of a Licence for Sale of Mhowra Flowers for Darwaha Tahsil, District Yavatmal since the year 1996. He has sought for permission from respondent no. 2 for transfer of his licence from municipal limits of Darwaha to municipal limits of Digras. It appears from the documents attached to the memo of petition that petitioner's representations dated 23.3.2015, 21.4.2016, 7.12.2016 and 1.11.2017 are still pending and are yet to receive any attention from respondent no. 2-Collector.
3. Learned assistant Government Pleader at this stage submits that if some more time is granted, she would place on record the necessary information pertaining to the application and representations of the petitioners as she is yet to receive detailed instructions in the matter. Learned counsel for the petitioner submits that the application and representations of the petitioner are still pending.
4. We find that the purpose of this petition shall be served by issuing necessary direction to respondent no. 2 to take suitable decision on the representations of the petitioner, if they are still awaiting decision, within a

particular period.

5. Writ Petition is partly allowed. Respondent no. 2-Collector is directed to decide the application and representations of the petitioner, if still pending, for transfer/shifting of Mhowra Flowers Licence held by the petitioner as early as possible and at any rate within four weeks from the date of receipt of this order.

6. Rule is made absolute in the above terms. No costs.

S. M. MODAK, J

SUNIL B. SHUKRE, J

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