

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

914 WRIT PETITION NO. 20 OF 2018

NIRWASI CLOTHS MERCHANT ASSOCIATION DHULE
THROUGH ITS PRESIDENT CHAIRMAN S M MAND
VERSUS
DHULE MUNICIPAL CORPORATION DHULE AND OTHERS

.....
Advocate for Petitioners : Mr. Nagargoje Ankush N.

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CORAM : V. K. JADHAV, J.
DATED : 08th JUNE, 2018

PER COURT:-

1. Heard.
2. The learned counsel for the petitioners submits that the learned District Judge has dismissed the appeal preferred by the petitioners against the notice issued by the Assistant Commissioner merely on the ground that the appeal is not maintainable as the notice has been issued by the Assistant Commissioner instead of Commissioner. The learned counsel submits that though the *status quo* order remained continued during the pendency of the appeal, the learned District Judge has rejected the application exhibit 5 seeking stay to the notice

issued by the Assistant Commissioner and aggrieved by the same, the petitioners had preferred Writ Petition before this Court and this Court had granted interim relief and further directed to maintain *status quo*. During pendency of the Writ Petition before this Court, the learned District Judge has dismissed the appeal as not maintainable.

3. In view of the above, issue notice to the respondents, returnable on 24.07.2018.

4. Till the next date of hearing, the parties to maintain *status quo* as on today.

(V. K. JADHAV, J.)

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