

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.477 OF 2003

Chandanlal s/o Pitamberlal Jaiswal,
Age-70 years, Occu:Trader,
R/o-Babra, Tq-Phulambri,
Dist-Aurangabad
and others.

...PETITIONERS

VERSUS

The State of Maharashtra,
Through Home Secretary,
Mantralaya, Mumbai-32
and others.

...RESPONDENTS

...

Mr. P.R. Patil Advocate for Petitioners.
Mrs. M.A. Deshpande, A.G.P. for Respondents.

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**CORAM: S.V. GANGAPURWALA AND
A.I.S. CHEEMA, JJ.**

DATE : 27TH MARCH, 2015

ORAL ORDER :

1. Mr Patil, the learned counsel submits that
the Petitioners have assailed the Government

Resolution dated 21st September 2002 wherein, even if a resolution is passed by 50% or more women voters of the Municipal Council or Corporation, the license issued by the licensing authority for running liquor business would/could be cancelled.

2. The learned A.G.P. submits that now the Rules are amended and the same are incorporated in the Statutory Rules.

3. The Government Resolution is an executive instructions, whereas Rule is a piece of subordinate legislation having a statutory force.

4. Mr. Patil, the learned counsel submits that the said Rules are also assailed by way of separate Writ Petition.

5. In light of that, there would be no purpose in challenge to the Government Resolution.

6. Writ Petition, as such, disposed of. No costs. Rule discharged.

[A.I.S.CHEEMA, J.]

[S.V. GANGAPURWALA, J.]

asb/MAR15