

IN THE HIGH COURT OF JUDICATURE AT MUMBAI
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1034 OF 2015

Nevitad Distillers Pvt. Ltd. ... Petitioner
vs.
The State of Maharashtra & Ors. ... Respondents

Mr. Dnyanadeo Babaji Savant for the Petitioner.
Mr. V.S. Gokhale, AGP for the State.

CORAM : A.S. OKA & K.R. SHRIRAM, JJ.
DATE : 20TH AUGUST, 2015

P.C.:

1. The learned counsel appearing for the petitioner states that he is not pressing prayer clause (a). He states that, he is pressing prayer clause (a-i), which reads thus :

“(a-i) This Hon'ble Court be pleased to issue appropriate writ, orders, directions under Article 226 and 227 of the Constitution of India calling for papers and proceedings in respect of Petitioner's files pertaining to the sanction quota of the rectified spirit and after scrutinizing the validity and legality thereof be pleased to hold that once the Petitioner paid the license fee for manufacturing particular number of cases of 9 bulk liters each, the Petitioner is entitled to lift the requisite quota of the rectified spirit without fixing any limit and without approaching for release order.”

2. If notwithstanding the payment of requisite fees, the balance quota is not released, it is for the petitioner to make appropriate representation to the Competent Authority making that grievance.

3. The petitioner will have to make out a specific case that he is entitled to release of a particular quantity. Hence, by granting liberty to the petitioner to make appropriate representation, we dispose of this petition.

(K.R. SHRIRAM, J.)

(A. S. OKA, J.)