

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

WRIT PETITION NO. 1291 OF 2007.

(7 STAR DISTILLERS (FORMERLY KNOWN AS VLR & CO.)...VS..STATE OF MAH. & 2 OTH.)

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

CORAM : Z.A.HAQ, J.

DATED : JULY 03, 2015.

Heard Ms P.S.Chaudhari, the learned advocate holding for Mr. Abhay Sambre, advocate for the petitioner and Mr. S.N. Tapdiya, the learned advocate holding for Mr. R.M. Bhangde, advocate for the respondent No.3 and Mr. D.M. Kale, the learned A.G.P. for the respondent Nos.1 and 2.

The petitioner has challenged the order passed by the respondent No.1-State rejecting the application filed by the petitioner for approving labels for marketing product of the petitioner.

The respondent No.3 had taken objection for approval of the labels and therefore, the application of the petitioner has been rejected. Respondent No.3 is situated at Kolpewadi, Taluka : Kopergaon, Dist. Ahmednagar. The application was made by the petitioner to the respondent No.2 which is the competent authority and which is at Mumbai. The impugned order is passed by the respondent No.1-State at Mumbai.

There is no averment in the petition that the cause of action or part of the cause of action has arisen within the limits of territorial jurisdiction of Nagpur Bench.

The above facts show that the cause of action, if any, has arisen at Mumbai. The respondent No.3 has rightly relied on the judgment given by the Hon'ble Supreme Court in the case of *Union of India Vs. Adani Exports Ltd.*, reported in **(2002)1 SCC 567** for contending that the Nagpur Bench has no jurisdiction to entertain and decide the writ petition.

In view of the facts recorded above and the law laid down by the Hon'ble Supreme Court in the above mentioned judgment, the Registry is directed to take appropriate steps for transferring this petition to the Principal Seat at Mumbai.

JUDGE

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