

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.10638 OF 2017

Sanjay Hiralal Jaiswal .. Petitioner

Versus

The Union of India .. Respondents
and others

Mr.Ajeet B. Kale, Advocate for the petitioner
Mr.S.G.Karlekar, AGP for the respondent/State
Mr.Ajay G. Talhar, Advocate for respondent No.1

WITH

WRIT PETITION NO.10642 OF 2017

Rakmibnbai Baburao Dudhe .. Petitioner

Versus

The Union of India .. Respondents
and others

Mr.Ajeet B. Kale, Advocate for the petitioner
Mr.P.S.Patil, AGP for the respondent/State
Mr.Ajay G. Talhar, Advocate for respondent No.1

WITH

WRIT PETITION NO.10644 OF 2017

Chayabai Shashikant Jaiswal .. Petitioner

Versus

The Union of India .. Respondents
and others

Mr.Ajeet B. Kale, Advocate for the petitioner
Mr.P.S.Patil, AGP for the respondent/State

WITH
WRIT PETITION NO.10647 OF 2017

Jayashree Bharat Khare .. Petitioner

Versus

The Union of India .. Respondents
and others

Mr.Ajeet B. Kale, Advocate for the petitioner
Mr.S.G.Karlekar, AGP for the respondent/State
Mr.Bhushan B. Kulkarni, Advocate for respondent No.1

**CORAM : R.M. BORDE &
S.M. GAVHANE, JJ.**
DATED : 29.08.2017

P.C. :-

. The petitioners are operating liquor shop/bar and are engaged in retail sale of liquor. In view of the directions issued by the Hon'ble Supreme Court while disposing of the Civil Appeal Nos. 12164-12166 of 2016 (Special Leave Petition) decided on 15.12.2016 the State Government and the Commissioner for State Excise/District Collector proceeded to direct the cancellation of liquor license of the petitioner and liquor shop/Bar operated by the petitioners have been put under seal. The Hon'ble Supreme Court while considering the interim application

presented aforesaid Special Leave Petition(Civil) No. 10243 of 2017, has directed modification of certain conditions incorporated in earlier order. Paragraph No.7 of the directions issued by the Hon'ble Supreme Court is relevant for our consideration which is quoted as below.

7. The purpose of the directions contained in the order dated 15th December, 2016 is to deal with the sale of liquor along and in proximity of highways properly understood, which provide connectivity between cities, towns and villages. The order does not prohibit licensed establishments within municipal areas. This clarification shall govern other municipal areas as well. We have considered it appropriate to issue this clarification to set at rest any ambiguity and to obviate repeated recourse to IAs, before the Court.

2. In view of the directions as above the prohibition imposed for running liquor shops/Bar operating within the limits of Municipal areas shall have to be reconsidered by the State Government and the Commissioner.

3. Learned AGP appearing for the State informed that the State Government would take appropriate steps for implementation of the revised directions issued by the Hon'ble Supreme Court while disposing of Special Leave Petition (Civil) No.10243 of 2017 and will take

corrective steps. The respondent/State shall take appropriate corrective steps within a period of three weeks from today.

4. With the above directions, the writ petitions stand disposed of.

[S.M. GAVHANE, J.]

[R.M. BORDE, J.]