

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.1055 OF 2017

Reba D. Ghosh

(M/s Royal Challenge Restaurant and Bar) ... Petitioner

v/s

The Inspector, State Excise, 'T' Division,

Andheri (West), Mumbai and others ... Respondents

Mrs Veena Thadani for Petitioner.

Mr H.S. Venegaonkar, AGP for Respondent – State.

**CORAM : SHANTANU S. KEMKAR &
B.P. COLABAWALLA, JJ.**

DATE : APRIL 13, 2017

P.C.:

1. Heard parties through their counsel.
2. The grievance of the Petitioner is that inspite of the fact that the Petitioner's Bar is not within 500 mtrs. of the National Highway, the Respondent No.1 has issued a communication dated 31st March 2017 intimating the Petitioner that in view of the fact that the Petitioner's Bar is within 500 mtrs. of the National Highway, renewal of their licences will not be done.

3. Learned counsel for the Petitioner submits that in regard to the aforesaid, the Petitioner has already submitted representation Exh.'E' dated 7th April 2017 along with certificate dated 7th March 2017 Exh.'D' indicating therein that the Petitioner's Bar is not situated within 500 mtrs. of the National Highway.

4. Having regard to the aforesaid, we are inclined to dispose of these Petitions by directing Respondent No.2 to examine the Petitioner's representation keeping in view the certificate as may be submitted by the Petitioner in support of their claim that the Bar in question is not situated within 500 mtrs. of the National Highway.

5. Let this exercise be completed by the Respondent No.2 by 30th April 2017.

6. Petition is disposed of.

7. Parties to act on authenticated copy of this order.

(B.P. COLABAWALLA, J.)

(SHANTANU S. KEMKAR, J.)