

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

REVIEW APPLICATION (STAMP) NO. 32439 OF 2016
WITH CIVIL APPLICATION NO. 15649 OF 2016
IN PIL/32/2015

ANAND VITTHALRAO ZAMARE AND ANOTHER
VERSUS
AMOL MARUTIRAO TALWADKAR AND OTHERS

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Advocate for Applicants : Mr. R. R. Mantri h/f. Mr. Santosh B. Gastgar.
Advocate for Respondent No.1 : Mr. U. L. Momale.
AGP for Respondent/State : Mr. S. Y. Mahajan.

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CORAM : R.M. BORDE &
K.K. SONAWANE, JJ.

DATE : 24th February, 2018.

PER COURT:-

The learned counsel appearing for the review applicant submits that the applicant is the person who is affected by the directions issued by this Court. While disposing off the Public Interest Litigation, in para Nos.16 and 17, it is recorded thus :-

“16. In the result, the order passed by the Hon'ble Minister, according permission to transfer the shop from district Kolhapur to district Latur, itself being contrary to Rule 25 of the Rules of 1973, and, therefore, deserves to be quashed and set aside, to that extent; and it is accordingly quashed and set aside. The consequential orders passed by the Collector, Kolhapur, as well as Superintendent of State Excise, permitting opening of liquor shop at Udgir, district Latur, are also quashed and set aside.

17. Rule is accordingly made absolute. There shall be no order as to costs.”

2] It is contended that the review applicant had approached the Honourable Minister seeking restoration of the license, renewal thereof and then its transfer from district Kolhapur to district Latur. The Hon'ble Minister has allowed the said application.

3] Since the order of the Honourable Minister is set aside and it is pointed out that the order has been issued in absence of the petitioner, the grievance raised by the petitioner appears to be valid.

4] In the circumstances, the order passed by this Court in PIL No. 32 of 2015 dated 15th January, 2016, stands recalled. Delay, if any, in filing review application is condoned.

5] Review application is disposed of accordingly. Pending civil applications do not survive, same stand disposed of.

[K.K.SONAWANE, J]

[R.M. BORDE, J]

grt/-