

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR**

**MISC. CIVIL APPLICATION (REVIEW) NO.1310 OF 2017**  
**IN**  
**WRIT PETITION NO.3494 OF 2017 (D)**

(Babulal Hiralal Jaiswal Vs. The State of Maharashtra thr. the Secretary, State Excise,  
Maharashtra State, Mumbai and others)

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

*Court's or Judge's orders.*

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Shri S.G. Jagtap, Advocate for Petitioner.  
Shri N.H. Joshi, AGP for Respondents 1 to 5/State.  
Shri P.S. Wathore, Advocate for Respondent 6 & 7.

**CORAM: ROHIT B. DEO, J.**

**DATE: 4<sup>th</sup> SEPTEMBER, 2018.**

Having heard the learned Counsel Shri S.G. Jagtap for the review – applicant, Shri N.H. Joshi, the learned Assistant Government Pleader for respondents 1 to 5 and Shri P.S. Wathore, the learned Counsel for respondents 6 and 7, this Court is of the opinion that no case is made out for review of the order dated 20.09.2017 in Writ Petition 3494/2017.

2] The order under challenge was an order rendered by the Hon'ble Minister, who set aside the order of the Commissioner and restored the order of the Collector in proceedings under the Bombay Prohibition Act, the effect of which order is to cancel the country liquor licence of the petitioner in view of the result of poll conducted on 29.10.2015.

3] This Court recorded that even if the 58 dead women, seven names who were repeated in the voters list and three names who were erroneously included in the voters list, are kept out of the consideration the result of the poll is not affected since out of 1022 eligible voters as many as 894 women voters voted in favour of the resolution for closer of the CL-III licence.

4] The review petition does not demonstrate that the said finding recorded by the authority under the Act and which is the basis of the order under review, suffers from any glaring error or an error apparent on the face of record.

5] Having perused the grounds raised in the review application, it is apparent that the grounds have no relevance vis-a-vis the finding referred to supra.

6] The review application is without substance and is rejected.

**JUDGE**