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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.9859 OF 2015

M/s. Pooja Trading Corporation ... Petitioner
V/s.
The State of Maharashtra & Ors. ... Respondents

Mr. D.B. Savant, for the Petitioner.
Mrs. M.S. Srivastava, AGP for Respondent Nos.1 to 5.

**CORAM: A.A.SAYED &
RIYAZ I. CHAGLA, JJ.**
DATE: 1ST FEBRUARY, 2019.

PC:-

1. The learned AGP does not dispute that the issue raised in this Petition is squarely covered by the judgment of this Court in the case of ***M/s. Bhav Distilleries Pvt. Ltd. Vs. The State of Maharashtra & Ors.***¹.

2. In the circumstances, the Petition is allowed in terms of prayer clause (a) which reads thus:-

(a) "This Hon'ble Court be pleased to issue a writ of mandamus or writ in the nature of mandamus or any other appropriate writ, orders, directions from this Hon'ble Court calling for the papers and proceedings under Article 226 and 227 of the Constitution of India in respect of Petitioner's file

1 W.P. No.773 of 1993 dated 31st March, 1993.

pertaining to payment of supervision charges under Section 58-A of the Bombay Prohibition Act, 1949, Rules 16 and 17 of the Bombay Foreign Liquor Rules 1953 and Licence Conditions 3 and 4 of the FL-I licence and after scrutinizing the validity and legality thereof, the Respondents be directed to act in accordance with circulars dated 19th November, 1981 and 11th March, 1993 and demand notice issued by the Superintendent of State Excise by letter dated 10.6.2015 and demand notice issued by Respondent No.5 dated 16.6.2015 be quashed and set aside;"

3. The Petition to stand disposed of accordingly.

(RIYAZ I. CHAGLA J.)

(A.A.SAYED, J.)