

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

WRIT PETITION NO.8131 OF 2022

DINKAR KISAN GHUGE

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE
DISTRICT COLLECTOR AND ANOTHER

AND

WRIT PETITION NO.8162 OF 2022

YOURAJ ANNASHEB KOKATE AND ANOTHER

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE
DISTRICT COLLECTOR AND ANOTHER

AND

WRIT PETITION NO.8179 OF 2022

GANESH MADHUKAR SRISAT

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE
DISTRICT COLLECTOR AND ANOTHER

AND

WRIT PETITION NO.8199 OF 2022

DATTATRAYA MAHADEV SHEP

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE
DISTRICT COLLECTOR AND ANOTHER

...

Mr.H.P. Jadhav, Advocate for the petitioners.
Mr.S.G. Sangle, AGP for the respondent/ State

...

**CORAM : RAVINDRA V. GHUGE AND
ARUN R. PEDNEKER, JJ.**

DATE :- 05th August, 2022

PER COURT:-

1. In all these matters, the petitioners have put forth identical prayer clause A, which reads as under :-

“A. *By issuing writ of mandamus or any other writ in the like nature, this Hon’ble Court may kindly be pleased to direct that, the respondents shall decide the proposal dated 26.02.2020 filed by the present petitioner before the respondents seeking grant of FL-III license as per provisions of Maharashtra Prohibition Act and Maharashtra Foreign Liquor Rules, 1953 and for that purpose the respondents shall call the meeting of committee expeditiously.*”

2. The learned Advocate for the petitioner submits that the authority under the Maharashtra Prohibition Act and Maharashtra Foreign Liquor Rules, 1953 is the District Collector, who has to decide the pending proposals. Each of the petitioners have filed independent proposals for different locations. These proposals are pending since 24.05.2019, 26.02.2020, 14.01.2021 and 30.03.2019, respectively. It is, therefore, prayed that respondent Nos.1 and 2, being the Committee under the Act and Rules to deal with such applications, will have to decide the said pending applications.

3. The learned AGP submits that the respondents are a part of a statutory committee which has to take a decision in such

applications. Only after the application is rejected, that a remedy is available to the petitioner to approach the Commissioner, State Excise.

4. In view of the above, these petitions are disposed off.

5. We direct the respondents to decide the respective claims of these petitioners, on or before 15.10.2022. Needless to state, we have not expressed any opinion as regards the pending claims and the competent committee is at liberty to deal with each application independently and strictly in accordance with the rules and policies.

(ARUN R. PEDNEKER, J.) (RAVINDRA V. GHUGE, J.)