

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

WRIT PETITION NO.8647 OF 2014

**SMT. VIDYADEVI SHANKARLAL MOR AND ANOTHER
VERSUS
THE MINISTER STATE EXCISE, STATE EXCISE DEPARTMENT,
MANTRALAYA, MUMBAI AND OTHERS**

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Advocate for Petitioners : Mr. Pratap P. Mandlik
AGP for Respondents – State : Mr. S. W. Munde
Advocate for Respondent No.5 : Mr. A. K. Tiwari

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 09TH MARCH, 2022

PER COURT :

1. This petition impugns the judgment and order dated 30-06-2014, passed by respondent No.1 Minister of State Excise, Mantralaya, Mumbai, in Case No.FLR1213/RA-153/RAUSH-2 under Section 138 of the Maharashtra Prohibition Act, 1949, thereby allowing the third revision filed by respondent No.5 and directing that as per the order dated 20-08-1996 and in terms of the orders passed by this Court the license be renewed in the name of respondent No.5. It is further directed that, in case if the other partners in the license have earlier presented any original partnership deed and if in this behalf the heirs of the partners submit relevant documents before the Collector, then as per the provisions of the Partnership Act license shall be suspended and the

affidavit to this effect be obtained from respondent No.5.

2. Today, the learned advocate for respondent No.5, on instructions, makes statement that he has no objection if the impugned order is quashed and set aside and the order dated 07-09-2004 at Exhibit-C (page No.30), passed by respondent No.1 in case No. FLR-1202/RA-14/EXC-2 is maintained. In that view of the matter, the impugned order dated 30-06-2014 at Exhibit-A is hereby quashed and set aside and the order dated 07-09-2004 at Exhibit-C is maintained.

3. Writ petition is allowed in the above terms. No costs.

(NITIN B. SURYAWANSHI, J.)