

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6309 OF 2021

Bhaniben Haribhai Damania
Partner Vibhuti Vines ... **Petitioner**
V/s.
Commissioner of Excise,
Department of Excise, Daman & Ors. ... **Respondents**

.....
Ms. Deepali Kamble , Advocate for the Petitioner.

Mr. Hiten S. Venegaonkar, Advocate for the Respondents.
....

**CORAM: S.V. GANGAPURWALA &
M. G. SEWLIKAR, JJ.**

DATED : APRIL 18, 2022

P.C.

1. The learned Counsel for the respondents submits that for the similar relief, the petitioner has approached the Civil Court by filing Regular Civil Suit No. 52 of 2020. The petitioner also secured interim orders on 2nd September 2020. In that matter also the respondent have contended about the ID of the petitioner being locked and the license suspended.
2. The petitioner cannot prosecute two remedies at one and the same time for the same relief.
3. In case the suit is pending, the petitioner is at liberty to take appropriate steps in that suit. The petitioner have also enjoyed the interim orders passed by the Civil Court.

4. In light of that, the writ petition is disposed of. The petitioner may prosecute the proceedings already initiated as may be permissible in law.

(M. G. SEWLIKAR, J.)

(S.V. GANGAPURWALA, J.)

RAJU
DATTATRAYA
GAIKWAD
Digitally
signed by RAJU
DATTATRAYA
GAIKWAD
Date:
2022.04.19
19:55:15
+0530