

Sonali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2873 OF 2021

Hotel and Restaurant Association (Western India) ...Petitioners
& Ors

Versus

Commissioner, State Excise, Maharashtra & Ors ...Respondents

WITH

WRIT PETITION (L) NO. 7126 OF 2022

Hotel and Restaurant Association (Western India) ...Petitioners
& Anr

Versus

Commissioner, State Excise, Maharashtra & Ors ...Respondents

WITH

WRIT PETITION (L) NO. 7848 OF 2022

Indian Hotel and Restaurant Association & Anr ...Petitioners
Versus

Commissioner, State Excise, Maharashtra & Ors ...Respondents

WITH

WRIT PETITION NO. 1980 OF 2021

Indian Hotel and Restaurant Association & Ors ...Petitioners
Versus

Commissioner, State Excise, Maharashtra & Ors ...Respondents

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**Mr Viraag Tulzapurkar, Senior Advocate, with Mr Ramesh Soni,
Mr Sameer Pandit with Ms Krina Gandhi i/b Wadia Ghandy &
Co. for the Petitioners in WP/2873/2021.**

**Mr Ramesh Soni, with Mr Sameer Pandit with Ms Krina Gandhi, i/b
Wadia Ghandy & Co, for the Petitioners in WP/1980/2021.**

Mr Ashutosh A Kumbhakoni, Advocate General, with Mr Akshay Shinde, "B" Panel Counsel, Mr Milind More Addl GP, Mr Manoj Badgujar, AGP, for the Respondent-State.

**CORAM G.S. Patel &
 Madhav J. Jamdar, JJ.
DATED: 29th March 2022**

PC:-

1. In Writ Petition (L) No. 7126 of 2022 and Writ Petition (L) No. 7848 of 2022, the challenge is to the Notification dated 28th January 2022. This would be for renewal of licence fees from 2022 to 2023. According to the Petitioners, the increase was more than 10%. It was 15%. According to the Petitioners, this required a specific direction from the Government and there is no such direction. Mr Kumbhakoni, learned Advocate General, points out that in fact there is such a direction.
2. This notwithstanding, and for entirely different reasons, the State Government has as an exceptional one-time case reduced the increase for 2022-2023 to only 7.5% more than the previous year.
3. The Petitioners therefore, say that they have no surviving grievance and seek to unconditionally withdraw the 2022 Writ Petitions. Accordingly, Writ Petition (L) No. 7126 of 2022 and Writ Petition (L) No. 7848 of 2022 are dismissed as unconditionally withdrawn but with no order as to costs.

(Madhav J. Jamdar, J)

(G. S. Patel, J)