

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
NAGPUR BENCH, NAGPUR.

WRIT PETITION No. 1155 OF 2022.

Shailendra Kailashchandra Sahu  
and others. .... Petitioners.

VERSUS

State of Maharashtra  
and others. .... Respondents.

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Mr.S.S. Khadse, Advocate for Petitioners.  
Mr.N.R. Patil, A.G.P. for Respondent No.1.  
Mr.S.N. Bhattad, Advocate for Respondent Nos. 2 to 5.  
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CORAM : NITIN JAMDAR AND  
ANIL L. PANSARE, JJ.

DATE : 23 MARCH 2022.

P.C.

Heard learned Counsel for the parties.

2. Petitioners have filed this petition with a prayer that the Respondent – Commissioner, State Excise should not renew the CL-I license in favour of M/s. Vidarbha Distillers for the year 2022-2027.

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3. The Commissioner of State Excise has not yet taken a decision to either renew or not to renew the license. The learned Counsel for the parties point out that the aspect of renewal will come up for consideration of the Respondent Commissioner as the earlier license granted would come to an end on 31 March 2022.

4. Petitioners in this petition have stated that they have raised certain objections and representation has been made on 2 February 2022. The learned Counsel for Respondents submit that parties are under arbitration, and earlier also Petitioners have raised identical objection, which has been overruled. The learned Counsel for Respondents also submits that there is neither any legal bar nor any judicial order which prohibits the Commissioner from renewing the license.

5. Be that as it may, since the aspect of renewal has not yet been finally decided by the Commissioner and that a party has lodged certain objections, the Respondent Commissioner while considering the aspect of renewal of license would look into the objections raised by Petitioners and take necessary decision as per law. By this direction, we are not deem to have acknowledged the merits or otherwise of Petitioner's representation and this aspect is left with the Commissioner of State Excise to decide.

6. At this stage, the learned Counsel for Respondent Nos. 2

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to 5 states that Petitioners should not take adjournments as the aspect of renewal of license has to be considered prior to 1 April 2022. We do not think that, that possibility will arise as Petitioners have given their objections in writing and we do not expect the Commissioner to give any personal hearing to Petitioners.

7. The Writ Petition is disposed of.

8. Copy of this order be furnished to the learned Counsel for the parties to act upon.

(ANIL L. PANSARE, J)

(NITIN JAMDAR, J)

Rgd