

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

**WRIT PETITION NO.1635 OF 2022
Smt.Kushal Mahindranath Bose**

..VS..

State of Mah., thr.its Secretary, Department of State Excise, Mantralaya, Mumbai-32 and ors

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders
.....

Court's or Judge's Order

Shri S.P.Bodalkar, Counsel for the Petitioner.
Shri N.L.Jaiswal, Counsel for the Respondent No.4.
Ms N.P.Mehta, Assistant Government Pleader for the Respondent Nos.1 to 3.

CORAM : A.S.CHANDURKAR & URMILA JOSHI-PHALKE, JJ.
DATED : 5/7/2022

1. Heard.
2. The CL-III Licence issued in favour of the petitioner was cancelled by the Collector on 3.8.2016, till the period the same was shifted at its suitable place. This order was subjected to challenge and by the order dated 25.1.2022 the Commissioner set aside that order and the said CL-III Licence stood renewed for the years 2019-20; 2020-21; 2021-22 and 2022-23. Insofar as permission to operate the said CL-III Licence is concerned, it is common ground that an appeal preferred by the respondent No.4 along with four others is pending with the respondent No.1. Those proceedings have been heard on 31.5.2022 and final orders therein are awaited.
3. In these facts, it is clear that the CL-III Licence operating in favour of the petitioner has been renewed, but its operation is subject to outcome of the pending appeal. The interests of justice would be served by directing the respondent No.1 to pass final orders in the appeal within a period of three weeks from today. The orders passed be communicated to the parties. Subject to outcome of that appeal, it is open for the petitioner to renew the prayers made in this

writ petition if the need arises.

With this direction, the writ petition is disposed of. No costs.

(URMILA JOSHI-PHALKE, J.)

(A.S.CHANDURKAR, J.)

!! BrWankhede !!

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