



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 11922 OF 2023

Jaykant Prayagnarayan Shukla

.Petitioner

Vs.

The Collector of Thane & ors.

.Respondents

Ms. Veena Thadani i/b. Mr. Vishal Thadani, Advocate, for the
Petitioner

Mr. S. D. Bhate i/b. Savita Bhate & Associates, Advocate, for
Respondent No. 2

Mr. A. P. Vanarase, AGP, for the Respondent – State

Mr. S. R. Lad, Inspector of State Excise, 'F' Division, Thane
present

CORAM : MADHAV J. JAMDAR, J.

DATE : 19.10.2023

P. C.

1. The challenge in the present Petition is to the order dated 01.09.2023 passed by the Collector, Thane by exercising powers under Section 54(1)(e) of the Maharashtra Prohibition Act, 1949.

2. There is statutory Appeal against the said order which the Petitioner has already filed under Section 137(2) of the Bombay Prohibition Act.

3. This Court vide order dated 25.09.2023 granted

ad-interim relief in terms of prayer clause (c) and thereafter, by order dated 11.10.2023, both the parties were directed to maintain status-quo till the next date.

4. Accordingly, as there is an alternate remedy of filing of statutory appeal which has already been availed, the Writ Petition is not required to be entertained.

5. The State Excise Commissioner before whom the said statutory appeal is filed is requested to dispose of the Appeal within a period of eight weeks from today. Till disposal of the said Appeal, parties to maintain status-quo.

6. The Writ Petition is disposed of in above terms with no order as to costs.

7. It is clarified that this Court has not examined merits and all the contentions on merits are expressly kept open.

(MADHAV J. JAMDAR, J.)