

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 11012 OF 2019**

Sanjay Keshav Patel

.. Petitioner

Versus

Commissioner of Excise, Dept. of Excise, Daman
and Ors.

.. Respondents

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- Mr. Vivek V. Khemka, Advocate for Petitioner
 - Mr. Haresh Dedhia i/by Mr. H.S.Venegavkar, Advocates for Respondents
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CORAM : MILIND N. JADHAV, J.**DATE : FEBRUARY 21, 2023.****P.C.:**

1. Heard Mr. Khemka, learned Advocate for Petitioner and Mr. Venegavkar, learned Advocate for Respondents.
2. Perused the record of the case. In the present case Petitioner's licence for sale of liquor has been cancelled due to violation of certain rules and breach of conditions.
3. Be that as it may, considering the judgment passed by this Court in Writ Petition No. 11014 of 2019 and the ratio laid down, therein Petitioner would be entitled to file an appropriate application seeking renewal of its licence before Respondent No.1.
4. Mr. Venegavkar fairly submitted that the if the Petitioner makes the necessary application, the same shall be dealt with by the Competent Authority and disposed of in accordance with law.

5. Hence the following order:

- (i) The impugned order dated 10.04.2019 passed by Respondent No.3 and order dated 04.07.2018 passed by Respondent No.1 stands quashed and set aside.
- (ii) Petitioner is permitted to make application for seeking revocation of cancellation of its licence and payment of renewal / fees etc. in accordance with law.
- (iii) Petitioner is directed to make application within a period of one week from today. If such an application is made, Respondent No.1 is directed to determine the same by a speaking order after giving hearing to the Petitioner within a period of two weeks thereafter.
- (iv) All contentions of the parties are expressly kept open.
- (v) With the above direction, Writ Petition is disposed.

[MILIND N. JADHAV, J.]

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